

**CASE**

**NUMBER:**

99 - 342

INDEX FOR CASE: 99-342  
NPCR, INC. DBA NEXTEL PARTNERS  
Construct  
CELL SITE - 5892 CHAPLIN ROAD - WILLISBURG

IN THE MATTER OF THE APPLICATION OF CROWN COMMUNICATION INC.  
AND NPCR, INC., D/B/A NEXTEL PARTNERS FOR ISSUANCE OF A  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT  
A WIRELESS COMMUNICATIONS FACILITY AT 5892 CHAPLIN ROAD,  
WILLISBURG, KY 40078

IN THE WIRELESS COMMUNICATIONS LICENSE AREA  
IN THE COMMONWEALTH OF KENTUCKY  
IN THE COUNTY OF WASHINGTON  
SITE NAME: CHAPLIN

SEQ NBR	ENTRY DATE	REMARKS
0001	08/25/99	Application.
M0001	08/25/99	DAVID PIKE CROWN COMMUNICATIONS-APPLICATION
0002	09/01/99	Acknowledgement letter.
0003	09/03/99	No deficiencies letter
M0002	09/23/99	CROWN COMMUNICATIONS DAVID PIKE-MOTION TO SUBMIT
0004	10/26/99	Final Order granting a Certificate to construct a guyed antenna tower.



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 99-342  
NPCR, INC. DBA NEXTEL PARTNERS

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on October 26, 1999.

See attached parties of record.

*Stephanie J. Bell*  
Secretary of the Commission

SB/hv  
Enclosure

. Donald J. Manning  
Vice President and General Counsel  
NPCR, Inc.  
dba Nextel Partners  
4500 Carillon Point  
Kirkland, WA. 98033

Rodney Strong  
Crown Communications Inc.  
11001 Bluegrass Parkway, Suite 330  
Louisville, KY. 40299

Honorable David A. Pike  
Counsel for Crown Communication  
Pike Legal Group  
200 S. Buckman Street  
P. O. Box 369  
Shepherdsville , KY. 40165 0369

Honorable W. Brent Rice  
Counsel for Nextel Partners  
McBrayer, McGinnis,  
Leslie & Kirkland  
163 W. Short Street  
Lexington, KY. 40507 1361

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. )  
AND NPCR, INC. D/B/A NEXTEL PARTNERS FOR )  
ISSUANCE OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT )  
A WIRELESS COMMUNICATIONS FACILITY AT )  
5892 CHAPLIN ROAD, WILLISBURG, KY 40078 IN ) CASE NO. 99-342  
THE WIRELESS COMMUNICATIONS LICENSE )  
AREA IN THE COMMONWEALTH OF KENTUCKY )  
IN THE COUNTY OF WASHINGTON )  
SITE NAME: CHAPLIN )  
SITE NUMBER: 407KY )

O R D E R

On August 25, 1999, Crown Communication Inc. ("Crown") and NPCR, Inc. d/b/a Nextel Partners (collectively, the "Applicants") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. The proposed facility consists of a guyed antenna tower not to exceed 375 feet in height, with attached antennas, to be located at 5892 Chaplin Road, Willisburg, Washington County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 52' 47.11" by West Longitude 85° 10' 28.04".

The Applicants have provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the application, the design of the tower and foundation conforms to applicable nationally

recognized building standards, and the plans have been certified by a Registered Professional Engineer.

Pursuant to 807 KAR 5:063, the Applicants notified the County Judge/Executive of the proposed construction. To date, no comments have been filed by the County Judge/Executive. The Applicants have filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the proposed facility. Both applications are pending.

The Applicants have filed evidence of the appropriate notices provided pursuant to 807 KAR 5:063. The notices solicited any comments and informed the recipients of their right to request intervention. To date, no comments have been filed with the Commission.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, Crown should notify the Commission if it does not use this antenna tower to provide service in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by Crown.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that the Applicants have demonstrated that a facility is necessary

to provide adequate utility service and therefore should be granted a Certificate of Public Convenience and Necessity to construct the proposed facility.

IT IS THEREFORE ORDERED that:

1. Crown is granted a Certificate of Public Convenience and Necessity to construct a guyed antenna tower not to exceed 375 feet in height, with attached antennas, to be located at 5892 Chaplin Road, Willisburg, Washington County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 52' 47.11" by West Longitude 85° 10' 28.04".
2. The Applicants shall file a copy of the final decisions regarding its pending FAA and KAZC applications for the proposed construction within 10 days of receiving these decisions.
3. Crown shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 26th day of October, 1999.

By the Commission

ATTEST:

  
Executive Director



network, and is necessary to provide service in accordance with provisions of its license with the Federal Communications Commission.

4. The county where the WCF is located has not registered for the right to regulate cell sites with the PSC, and has not adopted planning and zoning regulations in accordance with KRS 100.

5. The Application in this administrative proceeding was originally filed with the Commission on August 25, 1999, 29 days before the submission of this Motion.

WHEREFORE, Crown Communication Inc. and NPCR, Inc., d/b/a Nextel Partners ("Provider"), Applicants herein, by counsel, urge the Kentucky Public Service Commission to promptly grant a Certificate of Public Convenience and Necessity in accordance with the terms of the Application in this proceeding without public hearing.

Respectfully submitted,



---

David A. Pike  
Pike Legal Group  
200 S. Buckman Street  
Post Office Box 369  
Shepherdsville, KY 40165-0369  
Telephone: (502) 955-4400  
Telefax: (502) 543-4410  
E-Mail: pikelegal@aol.com  
ATTORNEY FOR CROWN COMMUNICATION INC.

and

W. Brent Rice  
McBayer, McGinnis, Leslie & Kirkland  
163 W. Short Street  
Lexington, KY 40507-1361  
Telephone: (606) 231-8780  
COUNSEL FOR NPCR, INC., d/b/a NEXTEL PARTNERS



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

September 3, 1999

To: All parties of record

RE: Case No. 99-342  
NPCR, INC. DBA NEXTEL PARTNERS

The Commission staff has reviewed your application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

*Stephanie Bell*  
Stephanie Bell  
Secretary of the Commission

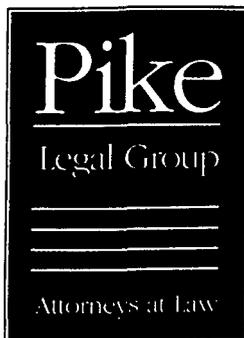
SB/hv  
Enclosure

Donald J. Manning  
Vice President and General Counsel  
NPCR, Inc.  
dba Nextel Partners  
4500 Carillon Point  
Kirkland, WA. 98033

Rodney Strong  
Crown Communications Inc.  
11001 Bluegrass Parkway, Suite 330  
Louisville, KY. 40299

Honorable David A. Pike  
Counsel for Crown Communication  
Pike Legal Group  
200 S. Buckman Street  
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Shepherdsville , KY. 40165 0369

Honorable W. Brent Rice  
Counsel for Nextel Partners  
McBrayer, McGinnis,  
Leslie & Kirkland  
163 W. Short Street  
Lexington, KY. 40507 1361



RECEIVED

AUG 25 1999

PUBLIC SERVICE  
COMMISSION

August 24, 1999

FILED

AUG 25 1999

PUBLIC SERVICE  
COMMISSION

**VIA HAND DELIVERY**

Helen C. Helton  
Executive Director  
Kentucky Public Service Commission  
730 Schenkel Lane  
P. O. Box 615  
Frankfort, Kentucky 40602

Re: Request for Waiver for From Requirements for Duplicate Initial Filing  
PSC Case Number: 99-342  
Site Name: Chaplin  
Site Number: 407KY

Dear Helen:

Please accept this letter as our formal application for waiver of the requirement that an original and ten (10) copies of an initial application for issuance of Certificate of Public Convenience and Necessity be filed with the Kentucky Public Service Commission ("PSC") in wireless communications facilities cases. As is the normal custom, we request that we be allowed to file an original and five (5) copies of our application for Certificate of Public Convenience and Necessity.

Thank you for your courtesy. If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "David A. Pike".

David A. Pike  
Regional Counsel for Crown Communication Inc.

DAP:slb

For Inclusion in Application File





COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

September 1, 1999

To: All parties of record

RE: Case No. 99-342  
NPCR, INC. DBA NEXTEL PARTNERS  
(Construct) CELL SITE - 5892 CHAPLIN ROAD - WILLISBURG

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received August 25, 1999 and has been assigned Case No. 99-342. In all future correspondence or filings in connection with this case, please reference the above case number.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,  
*Stephanie Bell*

Stephanie Bell  
Secretary of the Commission

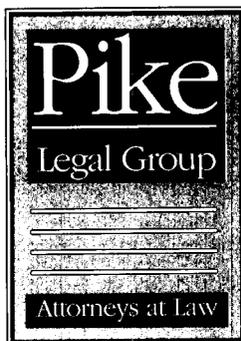
SB/jc

Donald J. Manning  
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4500 Carillon Point  
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RECEIVED

AUG 25 1999

PUBLIC SERVICE  
COMMISSION

August 24, 1999

FILED

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COMMISSION

**VIA HAND DELIVERY**

Helen C. Helton  
Executive Director  
Kentucky Public Service Commission  
730 Schenkel Lane  
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Frankfort, Kentucky 40602

Re: Request for Waiver for From Requirements for Duplicate Initial Filing  
PSC Case Number: 99-342  
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Please accept this letter as our formal application for waiver of the requirement that an original and ten (10) copies of an initial application for issuance of Certificate of Public Convenience and Necessity be filed with the Kentucky Public Service Commission ("PSC") in wireless communications facilities cases. As is the normal custom, we request that we be allowed to file an original and five (5) copies of our application for Certificate of Public Convenience and Necessity.

Thank you for your courtesy. If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,

David A. Pike  
Regional Counsel for Crown Communication Inc.

DAP:slb

For Inclusion in Application File



COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED  
AUG 25 1999  
PUBLIC SERVICE  
COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. )  
AND NPCR, INC., d/b/a NEXTEL PARTNERS )  
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT )  
A WIRELESS COMMUNICATIONS FACILITY AT )  
5892 Chaplin Road, Willisburg, KY 40078 )  
IN THE WIRELESS COMMUNICATIONS LICENSE AREA )  
IN THE COMMONWEALTH OF KENTUCKY )  
IN THE COUNTY OF Washington )

CASE NO.: 99-342

SITE NAME: Chaplin  
SITE NUMBER: 407KY

\*\*\*\*\*

Crown Communication Inc. ("Crown"), as ultimate owner, and NPCR, INC., d/b/a NEXTEL PARTNERS ("Provider"), as a licensed public utility in the Commonwealth of Kentucky, hereinafter jointly referred to as "Applicants", by counsel, pursuant to (i) KRS 278.020 and the rules and regulations applicable thereto, and (ii) the Telecommunications Act of 1996, respectfully submit their Application for a Certificate of Public Convenience and Necessity ("CPCN") from the Public Service Commission of Kentucky ("Commission") to construct, maintain, and operate a Wireless Communications Facility ("WCF") to serve the customers of the Provider with wireless telecommunications services, and other wireless service provider collocations in the area described herein.

In support of this Application, the Applicants respectfully provide and state the following information:

1. The complete names and addresses of the Applicants are:

Crown Communication Inc., a Delaware Corporation, 375 Southpointe Boulevard, Canonsburg, PA 15317, (724) 416-2000, having a local address of Commonwealth Business Center, 11001 Bluegrass Parkway, Suite 330, Louisville, Kentucky 40299, (502) 240-0044.

NPCR, INC., d/b/a Nextel Partners, 9 East Loockerman Street, Dover, Delaware 19901.

2. Crown constructs, owns, manages, maintains, and operates independent communications networks. Crown owns and manages safe, clean, and well-maintained facilities. Crown facilities do not generate smoke, odors, noise, noxious gases, vibrations, or increase traffic. Studies show that Crown's facilities will not pollute air, soil, or water, nor will they adversely affect radio or television reception or transmission. A certified copy of the Certificate of Authority under the name of Crown Communication Inc., issued by the Secretary of State of the Commonwealth of Kentucky, and a certified copy of the Articles of Incorporation issued by the Secretary of State of Delaware are attached hereto as **Exhibit A**. A certified copy of the Certificate of Authority under the name of NPCR, INC., issued by the Secretary of State of the Commonwealth of Kentucky, and a certified copy of the Articles of Incorporation issued by the Secretary of State of Delaware are attached hereto as **Exhibit A**.

3. After completion of the proposed WCF, Crown will lease or license space on said tower and the surrounding site so that the Provider may locate and operate its facility including all required antennas and appurtenances. The proposed WCF will serve an area completely within the Provider's FCC licensed service area in the Commonwealth of Kentucky. The Provider is authorized to provide wireless services by the FCC and the Commission. Crown has located the proposed site in a manner such that other wireless communications service providers will desire to collocate on said tower, and will endeavor to provide all necessary facilities to make collocation attractive to them.

4. The public convenience and necessity require the construction of the proposed WCF. The construction of the WCF will bring the Provider's services to an area currently not served by the Provider and will thereby enhance the public's access to innovative and competitive wireless telecommunications services. The WCF will provide a necessary link in the Provider's telecommunications network that is designed to meet the increasing demands for wireless services in Kentucky's wireless communications licensed area. The WCF is an integral link in the Provider's network design that must be in place to cover the proposed service area.

5. Crown's construction of the described WCF is desirable because it allows for the collocation of additional wireless service providers within this portion of the Kentucky wireless communications licensed area. These services may include telecommunications, wireless data transfer and Internet services, wireless cable, paging systems, 911 service, and other new products currently being developed in the wireless industry. In addition, the

WCF will be available for use by governmental agencies and providers of emergency services. The WCF will provide a necessary link in Crown's wireless infrastructure network, and Crown, as part of its business structure, will diligently pursue and encourage other wireless providers to collocate on the WCF. These services will provide increased competition in the local Kentucky telecommunications market, which will, in turn, promote competitive pricing, quality, and coverage options to users of telecommunications services in this area. Crown's vested interest in the collocation of wireless service providers promotes the same goals for the local consumers.

6. The Applicants propose to construct a WCF at 5892 Chaplin Road, Willisburg, KY 40078, (37° 52' 47.11" North latitude, 85° 10' 28.04" West longitude), in an area located entirely within the county referenced in the caption of this application. The property on which the WCF will be located is owned by Everett and Brenda Hasty. The proposed WCF will consist of a 350-foot guyed tower, with an approximately 25-foot lightning arrestor attached at the top, for a total height of 375 feet. The WCF will also include concrete foundations to accommodate the placement of the Provider's proprietary radio electronics equipment. The equipment will be housed in a prefabricated cabinet or shelter that will contain: (i) the transmitting and receiving equipment required to connect the WCF with the Provider's users in Kentucky, (ii) telephone lines that will link the WCF with the Provider's other facilities, (iii) battery back-up that will allow the Provider to operate even after a loss of outside power, and (iv) all other necessary appurtenances. The Provider's equipment cabinet or shelter will be approved for use in the Commonwealth of Kentucky by the relevant building inspector. The WCF compound will be fenced and all

access gate(s) will be secured. A description of the manner in which the proposed WCF will be constructed is attached as **Exhibit B and C**. Periodic inspections will be performed on the WCF in accordance with the applicable regulations or requirements of the Commission. The list of competing utilities, corporations, or persons is attached as **Exhibit D**.

7. Three (3) original site development plans have been submitted with this Application; and reduced copies of this site development plan have been included as **Exhibit B and Exhibit C**. A vertical profile sketch of the WCF signed and sealed by a professional engineer registered in Kentucky depicting the tower height, as well as a proposed configuration for the antennas of the Provider and future antenna mounts, has also been included as part of **Exhibit B**. Foundation design plans and a description of the standards according to which the tower was designed signed and sealed by a professional engineer registered in Kentucky is included as part of **Exhibit C**.

8. The Applicants have considered the likely effects of the installation on nearby land uses and values and have concluded that there is no more suitable location reasonably available from which adequate services can be provided, and that there are no reasonably available opportunities to collocate. The Applicants have attempted to collocate on suitable existing structures such as a telecommunications towers or other suitable structures capable of supporting the Provider's facilities. No other suitable and available collocation site was found to be located in the vicinity of the site. Information regarding the Applicants' efforts to achieve collocation in the vicinity are presented as **Exhibit E**.

9. The Applicants have conducted a preliminary aeronautical evaluation for the proposed WCF. The evaluation determined that the proposed structure height at this site meets Federal Aviation Regulation requirements. Furthermore, FAA notice is required for the proposed construction, and lighting or marking requirements may be applicable to this facility. A copy of the FAA Application is attached as **Exhibit F**. Upon receiving authorization from the FAA, the Applicants will forward a copy of the determination as a supplement to this Application proceeding.

10. A copy of the Kentucky Airport Zoning Commission ("KAZC") Application for the proposed WCF is attached as **Exhibit G**. Upon receiving authorization from the KAZC, the Applicants will forward a copy of the determination as a supplement to this Application proceeding.

11. The WCF will be registered with the Federal Communication Commission (FCC) pursuant to applicable requirements for the structure and the provider. Appropriate FCC signage will be posted at the site upon receipt of the tower registration number.

12. A geotechnical-engineering firm has performed soil boring(s) and subsequent geotechnical-engineering studies at the WCF site under the supervision of a professional engineer registered in the Commonwealth of Kentucky who specializes in geotechnical engineering, including subsurface exploration. The geotechnical-engineering firm has performed many such studies for the communications industry. A copy of the geotechnical-engineering report and evaluation signed and sealed by a professional engineer registered in the Commonwealth of Kentucky who specializes in geotechnical engineering, including subsurface exploration, is attached as **Exhibit H**. The name and

address of the geotechnical-engineering firm and the professional engineer registered in the Commonwealth of Kentucky who supervised the examination of this WCF site are included in **Exhibit H**.

13. Clear directions to the proposed WCF site from the County seat are attached as **Exhibit I**. The name and address of the preparer of **Exhibit I** is included in **Exhibit I**.

14. Crown, pursuant to a written agreement, has acquired the right to use the WCF site and associated property rights. A copy of the abbreviated agreement recorded with the County Clerk is attached as **Exhibit J**. Also included as part of **Exhibit J** is the portion of the full agreement demonstrating that in the case of abandonment a method is provided to dismantle and remove the cellular antenna tower, including a timetable for removal.

15. Personnel directly responsible for the design and construction of the proposed WCF are well-qualified and experienced. Pirod Inc., ("the Tower Manufacturer") performed the tower and foundation design. The Tower Manufacturer is a nationally recognized manufacturer and designer of communications towers. The Tower Manufacturer has designed and installed communications towers throughout North America. The Tower Manufacturer has assigned John R. Erichsen, a professional engineer registered in the Commonwealth of Kentucky to design the WCF. This engineer specializes in the design and engineering of guyed, self-support and monopole structures, and has extensive experience in the design and construction of projects similar to the Applicants'. These projects include the design of towers and the required foundations of many other wireless facilities. All of the designs have been signed and sealed by John R.

Erichsen. The construction of the proposed WCF will be performed by Crown Network Systems, an experienced, bonded, and insured erection company. The Tower Erection Manager, Harold Harrington, will manage the tower erection. Harold Harrington is a tower installation manager for Crown and has been erecting towers for the telecommunications industry for over 8 years. All tower designs will meet or exceed applicable laws and regulations.

16. Based on a review of Federal Emergency Management Agency Flood Insurance Rate Maps, the registered land surveyor has noted in **Exhibit B** that the proposed WCF is not located within any flood hazard area.

17. The possibility of high winds has been considered in the design of this tower. The tower has been designed and engineered by professional engineers using computer assistance and the same accepted codes and standards as are typically used for high-rise building construction. The tower has been designed to withstand a wind loading of 70 m.p.h., using the Uniform Building Code of 1991 ("UBC-91") and further modified by the 1993 Administrative Code. This tower has been designed in accordance with the Electronic Industries Association ("EIA") 222-F Standards, which have been accepted and approved by ANSI and is a nationally recognized tower design standard. Similarly, the proposed WCF design has been developed with consideration of potential ground shaking based on a negligible seismic zone of 1. Seismic loading is regarded as secondary to the wind loading.

18. The site development plan signed and sealed by a professional engineer registered in Kentucky was prepared by Walter C. Martin and was designed from a survey

performed by Frank L. Sellinger. This site development plan is drawn to a scale of no less than one (1) inch equals 200 feet, and identifies every owner of real estate within 500 feet of the proposed tower (according to the Property Valuation Administrator) and is incorporated in the survey as part of **Exhibit B**. Every structure and every easement within 500 feet of the proposed tower or within 200 feet of the access road including intersection with the public street system is incorporated in the survey as part of **Exhibit B**.

19. Crown, on behalf of itself and the Provider, has notified every person who owns property within 500 feet of the proposed tower by certified mail, return receipt requested, of the proposed construction, along with the possibility of a temporary site being built while awaiting Commission approval. Each property owner has been given the docket number under which the proposed Application will be processed and has been informed of their right to request intervention. A list of the nearby property owners who received the notices, together with copies of the certified letters, are attached as **Exhibits K and L**, respectively.

20. Crown, on behalf of itself and the Provider, has notified the Judge Executive of the county where the WCF is located by certified mail, return receipt requested, of the proposed construction. Crown included in said notice the Public Service Commission docket number under which the application will be processed and informed said entity of its right to request intervention. A copy of this notice is attached as **Exhibit M**. The county where the WCF is located has not registered for the right to regulate cell sites with the PSC, and has not adopted planning and zoning regulations in accordance with KRS Chapter 100.

21. Two appropriate notice signs measuring at least two (2) feet in height and four (4) feet in width with all required language in letters of required height have been posted in a visible location on the proposed site and on the nearest public road and shall remain posted for at least two (2) weeks after filing of the Application. Copies of the postings are attached as **Exhibit N**. The location of the proposed facility has been published in a newspaper of general circulation in the county where the WCF is located.

22. There are no residences within a 500-foot radius of the centerline of the proposed tower location. The land surrounding the WCF site is presently vacant with the balance of the remaining land consisting of raw acreage.

23. The process that was used in selecting the site for the proposed WCF by the Applicants' radio frequency engineers was consistent with the process used for selecting generally all other existing and proposed WCF facilities within the proposed network design area. Before beginning the acquisition process, the Applicants carefully evaluated the location of the required WCF for possible collocation opportunities on existing structures. Radio frequency engineers used computer programs to evaluate the most effective coverage design for facilitating collocation potential on the proposed tower. Crown and the Provider's radio frequency engineers have combined their efforts in order to develop a highly efficient network that is designed to serve the Federal Communications Commission licensed territory without extending beyond the provider's approved boundary. The engineers selected the optimum vicinity in terms of elevation and location to provide the best quality service to customers in the service area. A proposed coverage area was

considered by the Applicants when searching for sites that would provide both (i) the coverage deemed necessary by the Provider, and (ii) the coverage deemed necessary by Crown to permit the integration of the proposed WCF into Crown's overall network design. No suitable towers or existing structures were found in the immediate area which would meet the technical requirements for this element of the telecommunications network. A map of the area in which the tower is proposed to be located which is drawn to scale and clearly depicts the necessary search area within which the site should, pursuant to radio frequency requirements, be located is attached as **Exhibit O**.

24. A grid map showing the location of all existing cellular antenna towers that includes the general position of proposed construction sites for new cellular antenna towers within the planning commission's jurisdiction and one-half mile outside the boundary of the planning unit's jurisdiction if that area contains either existing or proposed construction sites for cellular antenna towers is attached as **Exhibit P**.

25. All Exhibits to this Application are hereby incorporated by reference as if fully set out as part of the Application.

26. All responses and requests associated with this Application may be directed to:

Rodney Strong  
Crown Communication Inc.  
11001 Bluegrass Parkway, Suite 330  
Louisville, Kentucky 40299  
Telephone: (502) 240-0044

and

David A. Pike  
Pike Legal Group  
200 S. Buckman Street  
P. O. Box 369  
Shepherdsville, Kentucky 40165-0369

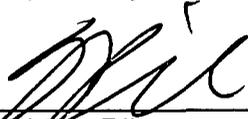
(502) 955-4400  
COUNSEL FOR CROWN COMMUNICATION INC.

and

W. Brent Rice  
McBrayer, McGinnis, Leslie & Kirkland  
163 W. Short Street  
Lexington, Kentucky 40507-1361  
(606) 231-8780  
COUNSEL FOR NPCR, INC., d/b/a/ NEXTEL PARTNERS.

**WHEREFORE**, the Applicants respectfully request that the Commission accept the foregoing Application for filing, and having met the requirements of KRS 278.020 and all applicable rules and regulations of the Commission, grant a Certificate of Public Convenience and Necessity to construct and operate the WCF at the location set forth herein for the respective networks in the Commonwealth of Kentucky.

Respectfully submitted,

  
\_\_\_\_\_  
David A. Pike  
Pike Legal Group  
200 S. Buckman Street  
P. O. Box 369  
Shepherdsville, Kentucky 40165-0369  
(502) 955-4400  
COUNSEL FOR CROWN COMMUNICATION, INC.

and

  
\_\_\_\_\_  
W. Brent Rice  
McBrayer, McGinnis, Leslie & Kirkland  
163 W. Short Street  
Lexington, Kentucky 40507-1361  
(606) 231-8780  
COUNSEL FOR NPCR, INC., d/b/a Nextel Partners

## LIST OF EXHIBITS

- A - Copy of Articles of Incorporation & Certificate of Authority
- B - Site Development Plan:
  - Vicinity Map
  - Property Owner Listing
  - 500' Vicinity Map
  - Legal Descriptions
  - Flood Plain Certification
  - Site Plan
  - Vertical Tower Profile
- C - Tower and Foundation Design
- D - Competing utilities, corporations, or persons list
- E - Collocation report
- F - Application to FAA
- G - Application to Kentucky Airport Zoning Commission
- H - Geotechnical Report
- I - Directions to WCF Site
- J - Copy of Real Estate Agreement
- K - Certification of Notification
- L - Copy of Property Owner Notification
- M - Copy of Judge Executive Notice
- N - Copy of Posting Notices
- O - Copy of Radio Frequency Design Search Area
- P - Tower Map for Subject County

**EXHIBIT A**  
**COPY OF ARTICLES OF INCORPORATION & CERTIFICATE OF**  
**AUTHORITY**



**OFFICE OF THE SECRETARY OF STATE**

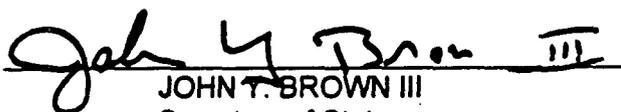
**FOREIGN CORPORATION  
CERTIFICATE OF AUTHORIZATION**

I, JOHN Y. BROWN III, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,  
CROWN COMMUNICATION INC.

is a corporation organized and existing under the laws of the state or country of  
DELAWARE; that was first authorized to transact business in the Commonwealth of Kentucky on AUGUST 12, 1997.

I further certify that all fees and penalties owed to the Secretary of State have been paid to date; that an Application for Certificate of Withdrawal has not been filed; and that the most recent annual report required by KRS Chapter 271B.16-220 or 273.3671 has been delivered to the Secretary of State on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, at Frankfort, Kentucky, this 4TH day of DECEMBER, 1997.



JOHN Y. BROWN III  
Secretary of State  
Commonwealth of Kentucky



JOHN Y. BROWN III  
SECRETARY OF STATE

**CERTIFICATE**

I, JOHN Y. BROWN III, Secretary of State for the Commonwealth of Kentucky, do certify that the foregoing writing has been carefully compared by me with the original record thereof, now in my official custody as Secretary of State and remaining on file in my office, and found to be a true and correct copy of CERTIFICATE OF AUTHORITY OF CROWN COMMUNICATION INC. FILED AUGUST 12, 1997.

IN WITNESS WHEREOF, I have hereunto  
set my hand and affixed my official seal.

Done at Frankfort this 4TH day of

DECEMBER, 19 97

*John Y. Brown III*  
Secretary of State, Commonwealth of Kentucky

Office of the Secretary of State

---

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "NPCR, INC.", FILED IN THIS OFFICE ON THE TWENTY-FIRST DAY OF DECEMBER, A.D. 1998, AT 9 O'CLOCK A.M.



A handwritten signature in cursive script, reading "Edward J. Freel".

---

Edward J. Freel, Secretary of State

2982613 8100

991222189

AUTHENTICATION: 9783188

DATE: 06-03-99

CERTIFICATE OF INCORPORATION

OF

NPCR, INC.

**FIRST:** The name of the corporation is NPCR, Inc. (the "Corporation").

**SECOND:** The address of the registered office of the Corporation in Delaware is 9 East Lockerman Street, Dover, Delaware 19901, and the name of the Corporation's registered agent at such address is National Registered Agents, Inc.

**THIRD:** The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the Delaware General Corporation Law.

**FOURTH:** The total number of shares of stock which the Corporation shall have authority to issue is 200 shares of Common Stock, \$0.01 par value.

**FIFTH:** The name and mailing address of the sole incorporator of the Corporation are as follows:

David P. Dutil, Esq.  
Friedman Kaplan & Seiler LLP  
875 Third Avenue  
New York, New York 10022

**SIXTH:** The following provisions are inserted for purposes of the management of the business and conduct of the affairs of the Corporation and for creating, defining, limiting and regulating the powers of the Corporation and its directors and stockholders:

(a) The number of directors of the Corporation shall be fixed and may be altered from time to time in the manner provided in the Bylaws, and vacancies in the Board of Directors and newly created directorships resulting from any increase in the authorized number of directors may be filled, and directors may be removed, as provided in the Bylaws.

(b) The election of directors may be conducted in any manner approved by the stockholders at the time when the election is held and need not be by ballot.

(c) All corporate powers and authority of the Corporation (except as at the time otherwise provided by law, by this Certificate of Incorporation or by the Bylaws) shall be vested in and exercised by the Board of Directors.

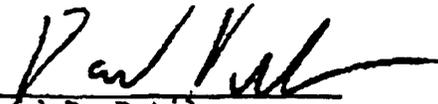
(d) The Board of Directors shall have the power without the assent or vote of the stockholders to adopt, amend, alter or repeal the Bylaws of the Corporation, except to the extent that the Bylaws or this Certification of Incorporation otherwise provide.

**EIGHTH:** The Corporation reserves the right to amend or repeal any provision contained in this Certificate of Incorporation in the manner now or hereafter prescribed by the laws of the State of Delaware, and all rights herein conferred upon stockholders or directors are granted subject to this reservation.

**NINTH:** No director shall be personally liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a director, provided, that the foregoing shall not eliminate or limit the liability of a director (i) for any breach of the director's duty of loyalty to the Corporation or its stockholders, (ii) for acts or omissions not in good faith or which involve intentional misconduct or knowing violation of law, (iii) under Section 174 of the Delaware General Corporation Law, or (iv) for any transaction from which the director derived an improper personal benefit.

**TENTH:** Meetings of stockholders may be held within or without the State of Delaware, as the Bylaws may provide. The books of the Corporation may be kept (subject to any provision contained in the statutes of the State of Delaware) outside the State of Delaware at such place or places as may be designated from time to time by the Board of Directors of the Corporation in accordance with the Bylaws of the Corporation.

IN WITNESS WHEREOF, I do execute this Certificate and affirm and acknowledge, under penalties of perjury, that this Certificate is my act and deed and that the facts stated herein are true, this 21st day of December, 1998.

  
David P. Dutil



**John Y. Brown III**  
**Secretary of State**

**Certificate of Authorization**

I, JOHN Y. BROWN III, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,

**NPCR, INC.**

, a corporation organized under the laws of the state of Delaware, is authorized to transact business in the Commonwealth of Kentucky, and received the authority to transact business in Kentucky on June 1, 1999.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that an application for certificate of withdrawal has not been filed; and that the most recent annual report required by KRS 271B.16-220 has been delivered to the Secretary of State.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 4<sup>th</sup> day of June, 1999.

*John Y. Brown, III*

JOHN Y. BROWN III  
Secretary of State  
Commonwealth of Kentucky

tbates/0475015

State of Delaware  
Office of the Secretary of State

---

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "NPCR, INC.", FILED IN THIS OFFICE ON THE TWENTY-FIRST DAY OF DECEMBER, A.D. 1998, AT 9 O'CLOCK A.M.



*Edward J. Freel*

Edward J. Freel, Secretary of State

2982613 8100

991222189

AUTHENTICATION: 9783188

DATE: 06-03-99

**EXHIBIT B**

**SITE DEVELOPMENT PLAN:**

**VICINITY MAP**

**PROPERTY OWNER LISTING**

**500' VICINITY MAP**

**LEGAL DESCRIPTIONS**

**FLOOD PLAIN CERTIFICATION**

**SITE PLAN**

**VERTICAL TOWER PROFILE**





MAP 20, LOT 22  
 WEST STREET & 18th  
 11001 BLUEGRASS PARKWAY  
 SUITE 330  
 LOUISVILLE, KY 40298  
 OFFICE: (502) 240-0044  
 FAX: (502) 240-0045

MAP 21, LOT 116  
 REQUIRED BY C/O KIM W. KELLY  
 P.O. BOX 229  
 11001 BLUEGRASS PARKWAY  
 SUITE 330  
 LOUISVILLE, KY 40298  
 OFFICE: (502) 240-0044  
 FAX: (502) 240-0045



**T. Alton Neal Company**  
 COMMERCIAL BUSINESS CENTER  
 11001 BLUEGRASS PARKWAY  
 SUITE 330  
 LOUISVILLE, KY 40298  
 OFFICE: (502) 240-0044  
 FAX: (502) 240-0045



(502) 635-5866  
 FAX: 635-5283

Cell Engineering  
 198 Simpson Street  
 Louisville, Kentucky 40211

ETCH NUMBER: NY-0419-B  
 SITE NAME: CHRYM

SITE ADDRESS:  
 3897 CHRYM ROAD  
 WILSONBURG, KENTUCKY 40078

AREA:  
 PARENT TRACT = 199 Acres  
 LEASE AREA = 10000 sq. ft.

PROPERTY OWNER:  
 FERRET AND BERNA MASTY  
 5906 CHRYM ROAD  
 WILSONBURG, KY 40078

TAX MAP NUMBER: 20

PARTI NUMBER: 22

SOURCE OF TITLE:  
 DETO BOOK 121 PAGE 49

OWN BY:	CHRD BY:	DATE:
LAP	FSM	07/28/99

TAX PROJECT NO.: 1-2631

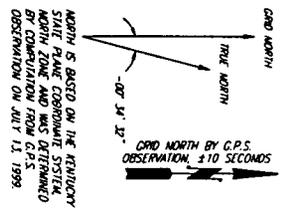
SHEET 1 OF 2

REVISIONS:

C1



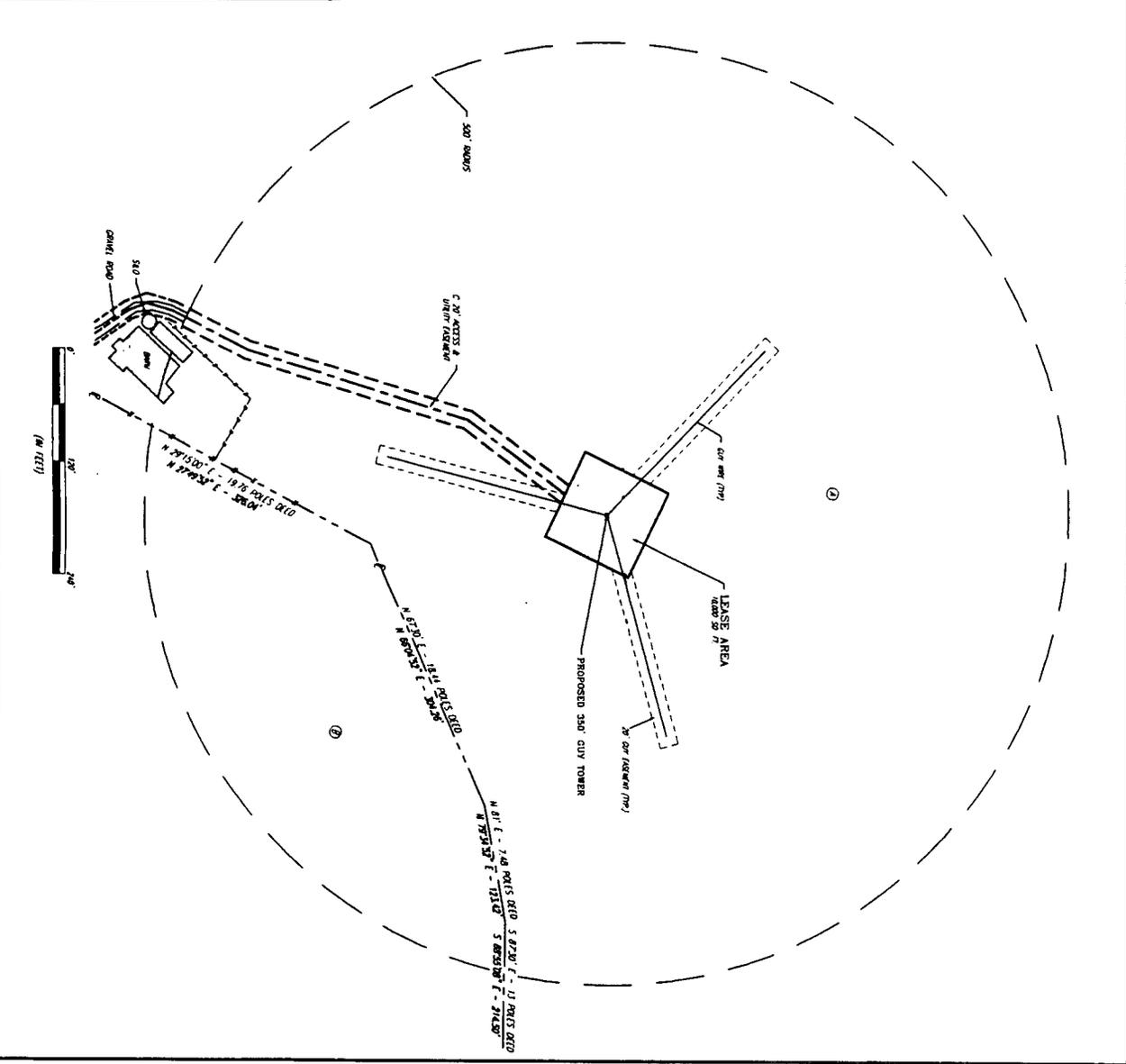
- SHEET 1
- VICINITY AND 500' STRUCTURAL MAP
  - ABUTTING PROPERTY OWNERS
  - U.S.G.S QUAD MAP
- SHEET 2
- LEASE AREA
  - LEGAL DESCRIPTIONS
  - FLOOD ZONE DATA



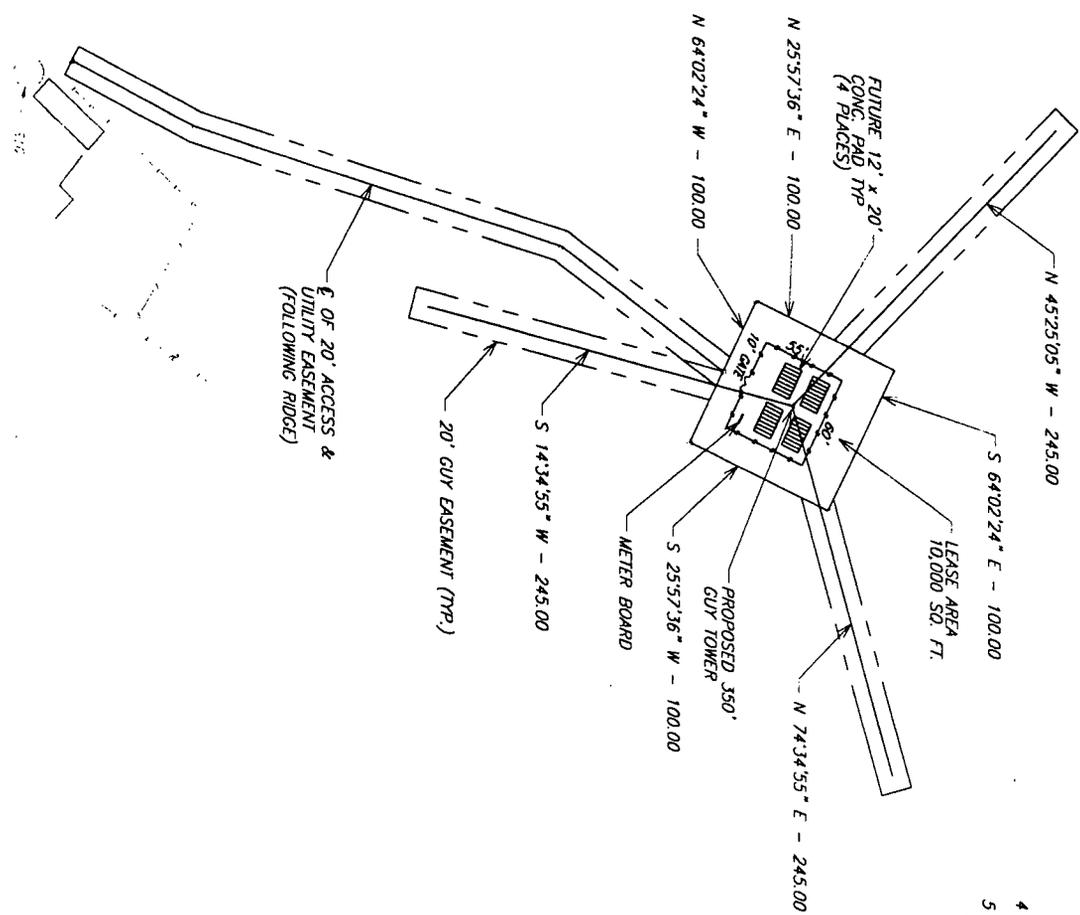
NORTH IS BASED ON THE KENTUCKY STATE RANGE COORDINATE SYSTEM. NORTH ZONE AND WAS DETERMINED BY COMPARISON FROM G.P.S. OBSERVATION ON JULY 13, 1999.



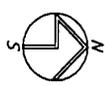
LEES 7 1/2 SQUARE ROAD AND OF CHRYM, ET.







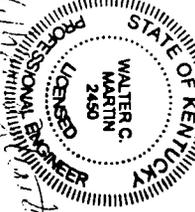
- NOTE:
- 1 FOR ADDITIONAL SITE INFO, SEE S1 (IF PROVIDED)
  - 2 REMOVE ALL VEGETATION & CLEAN AREA
  - 3 FINISH GRADING TO PROVIDE EFFECTIVE DRAINAGE W/ A SLOPE OF NO LESS THAN ONE EIGHT (1/8) PER FOOT FLOWING AWAY FROM EQUIP FOR A MIN DISTANCE OF SIX FEET (6') IN ALL DIRECTIONS
  - 4 LOCATE ALL U.G. UTILITIES PRIOR TO STARTING ANY CONSTRUCTION
  - 5 FENCED COMPOUND FINISHED SURFACE SEE DETAIL 2/55 (IF PROVIDED)



**1. Alan Neal Company**  
 COMMUNICATIONS INC.  
 11001 BUCKLEBOURNE DRIVE  
 SUITE 100  
 BUCKLEBOURNE, KY 40012  
 (502) 238-8888

**tan**  
 TOWER ANTENNA NETWORKS  
 11001 BUCKLEBOURNE DRIVE  
 SUITE 100  
 BUCKLEBOURNE, KY 40012  
 (502) 238-8888

PROJECT NO. \_\_\_\_\_  
 PROJECT NAME \_\_\_\_\_  
 PROJECT ADDRESS \_\_\_\_\_  
 PROJECT PHONE \_\_\_\_\_  
 PROJECT FAX \_\_\_\_\_  
 PROJECT EMAIL \_\_\_\_\_  
 PROJECT WEBSITE \_\_\_\_\_



DESIGN BY: LAP

REVIEWED BY: FSR

REVISIONS:

NO.	REVISION/DATE	DATE
1 <td>UPON DATE ADDRESS CHANGE</td> <td>7/28/08</td>	UPON DATE ADDRESS CHANGE	7/28/08
2 <td>ZONING</td> <td>7/28/08</td>	ZONING	7/28/08

PROJECT NUMBER: 070111-8

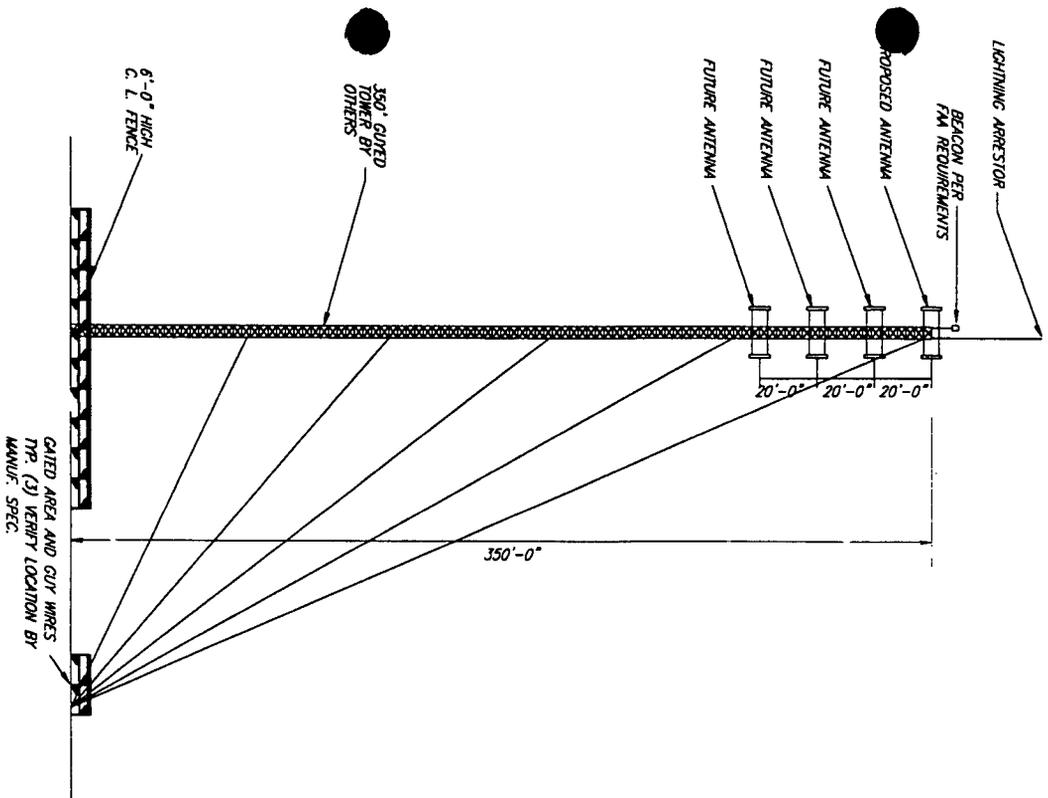
PROJECT NAME: CHRYSLER

PROJECT ADDRESS: 5002 CHRYSLER ROAD, MILLSBORO, KY 40128

TITLE: SITE PLAN

SHEET: S2

TOWER INTEGRITY TO BE VERIFIED BY MANUFACTURER



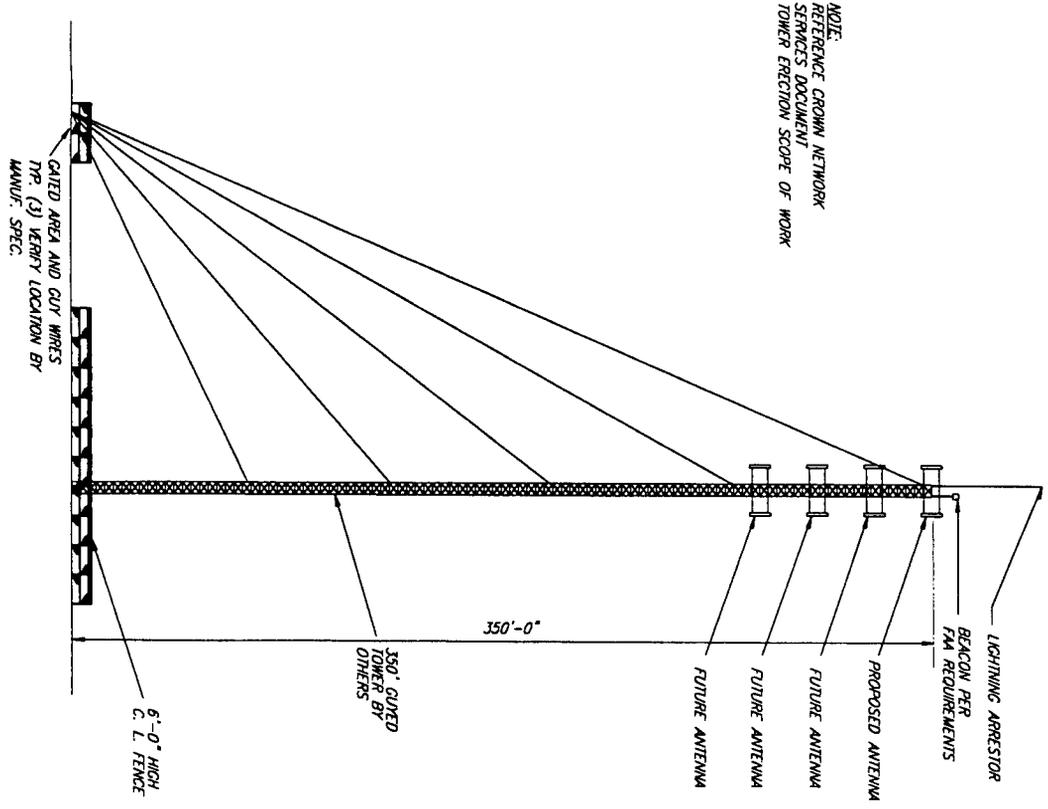
EAST ELEVATION

SCALE: 1"=50'-0"

1

WEST ELEVATION

TOWER INTEGRITY TO BE VERIFIED BY MANUFACTURER



SCALE: 1"=50'-0"

2

NOTE:  
REFERENCE CROWN NETWORK  
SERVICES DOCUMENT  
TOWER ERECTION SCOPE OF WORK



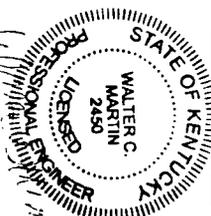
1101 Independence Avenue  
Suite 100  
Crown Point, IN 46038  
Phone: 765-766-7400  
Fax: 765-766-7401



**tan**

DATE NO. \_\_\_\_\_  
PROJECT NO. \_\_\_\_\_  
PROJECT NAME \_\_\_\_\_  
PROJECT ADDRESS \_\_\_\_\_  
PROJECT CITY \_\_\_\_\_  
PROJECT STATE \_\_\_\_\_  
PROJECT ZIP \_\_\_\_\_

THE INFORMATION CONTAINED IN THIS DOCUMENT IS THE PROPERTY OF T. ALTON NEAL COMPANY AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED.

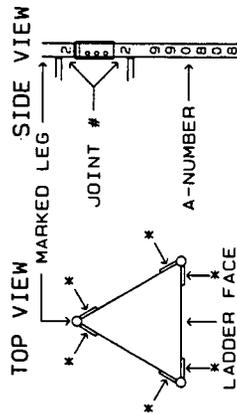


DRAWN BY: LJP	PROJECT NUMBER
REVIEWED: SHERIFF, CSB	PROJECT VALUE
REVIEWING ENGINEER: RWB	CITY/TOWN
	PROJECT ADDRESS
	5893 CHERRY ROAD
	MILLSBORO, NY 11901
	TITLE
	TOWER ELEVATIONS
	SHEET

S4



SECTION DATA						LEG CONNECTION		
SPAN HEIGHT	SEC#	LEN	LEGS	BRACES	PART#	BOLT DIAM	BOLT LEN	BOLTS /SEC
340' - 350'	36	10'	1- 3/4"	5/8"	104800			
300' - 340'	36	20'	1- 3/4"	5/8"	104800	5/8"	4"	12
260' - 300'	36	20'	1- 3/4"	3/4"	104497	5/8"	4"	12
20' - 260'	36	20'	1- 3/4"	5/8"	104800	5/8"	4"	12
0' - 20'	36	20'	1- 3/4"		133221	5/8"	4"	12



THE MARKED LEG OF EACH SECTION IS STAMPED WITH THE TOWER SERIAL # AT THE TOP OF EACH SECTION AND THE JOINT # AT EACH END OF THE SECTION. JOINTS ARE NUMBERED CONSECUTIVELY STARTING WITH 1 AT THE TOP OF THE BASE SECTION. ASSEMBLE TOWER WITH MARKED LEGS TOGETHER IN PROPER SEQUENCE.

\* INDICATES RELATIVE POSITION OF LINE HANGING BRACKETS P/N 131773 AT NOMINAL 3' VERTICAL SPACING.



12 1999

CROWN COMMUNICATIONS  
 CHAPLIN (ECHO 407KY), KY  
 # 36 X 351' GUYED TOWER

APPROVED/ENG.	WRH	08/12/1999
APPROVED/FOUND	N/A	
DRAWN BY	TRP	

**PAROD INC.**  
 1545 Pidco Dr.  
 Plymouth, IN 46563-0128  
 219-936-4221

From: 85676.DFT - 08/10/1999 09:19

Printed from: 20522520.DWG - 08/10/1999 09:12 @ 08/12/1999 11:33

ENG. FILE NO. A-9908082A  
 ARCHIVE Q-85676

DRAWING NO. 205225-8  
 PAGE 2 OF 10

**GUY HARDWARE DETAIL**

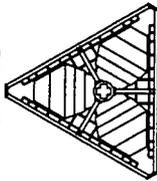
HT.	GUY SIZE	TORQ SIZE	LUG PART#	SHCKL SIZE	THMBLE SIZE	TURN-BCKLE	PREFORM	INITIAL TENSION **					
								@ 0°F	@ 30°F	@ 60°F	@ 90°F		
345'	5/8" EHS.	12'	105062	3/4"	3/4"	1"	BG-2111	5059#	4784#	4513#	4240#	3976#	3729#
278'	9/16" EHS.	12'	105062	3/4"	5/8"	7/8"	BG-2116	4383#	4080#	3792#	3500#	3220#	2970#
210'	9/16" EHS.		105062	3/4"	5/8"	7/8"	BG-2116	4651#	4252#	3865#	3500#	3154#	2820#
140'	1/2" EHS.		105062	5/8"	5/8"	7/8"	BG-2115	3871#	3460#	3061#	2690#	2344#	2011#
70'	1/2" EHS.		105062	5/8"	5/8"	7/8"	BG-2115	4178#	3659#	3156#	2690#	2264#	1886#

\*\* TENSIONS SHOWN ARE FOR GUY LINE (A). INTERPOLATION IS PERMITTED FOR OTHER TEMPERATURES.  
TOLERANCE IS +/- 10% OF INITIAL TENSION SHOWN.

HT.	GUY SIZE	# GUYS	THEORETICAL LENGTH ***		
			(A) NORTHEAST	(B) SOUTHWEST	(C) NORTHWEST
345'	5/8" EHS.	3	434.6'	431.3'	429.7'
278'	9/16" EHS.	6	381.2'	378.1'	376.6'
210'	9/16" EHS.	3	332.0'	329.3'	327.9'
140'	1/2" EHS.	3	289.4'	287.3'	286.2'
70'	1/2" EHS.	3	259.0'	257.7'	257.1'

\*\*\* THEORETICAL LENGTH SHOWN IS NOT THE CUT LENGTH.  
ADD 5% TO 10% TO VALUE LISTED TO ARRIVE AT CUT LENGTH.  
QUANTITY OF CABLE SHIPPED IS THEORETICAL LENGTH +10%.

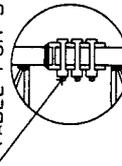
TOP VIEW



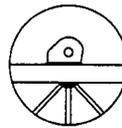
SIDE VIEW  
ROTATABLE TOP  
(REF ASSEMBLY  
DWG # 130555)



A-325 BOLTS  
SEE LEG CONNECT  
TABLE FOR SIZE



VIEW B  
TYPICAL LEG  
CONNECTION



VIEW A  
TYPICAL GUY  
CONNECTION LUG



1999

CROWN COMMUNICATIONS  
CHAPLIN (ECHO 407KY), KY  
# 36 X 351' GUYED TOWER

APPROVED/ENG. WRH 08/12/1999

APPROVED/FOUND N/A

DRAWN BY TRP

ENG. FILE NO. A-9908082A  
ARCHIVE Q-85676



1545 Pidco Dr.  
Plymouth, IN 46563-0128  
219-936-4221

DRAWING NO. 205225-B  
PAGE 3 OF 10

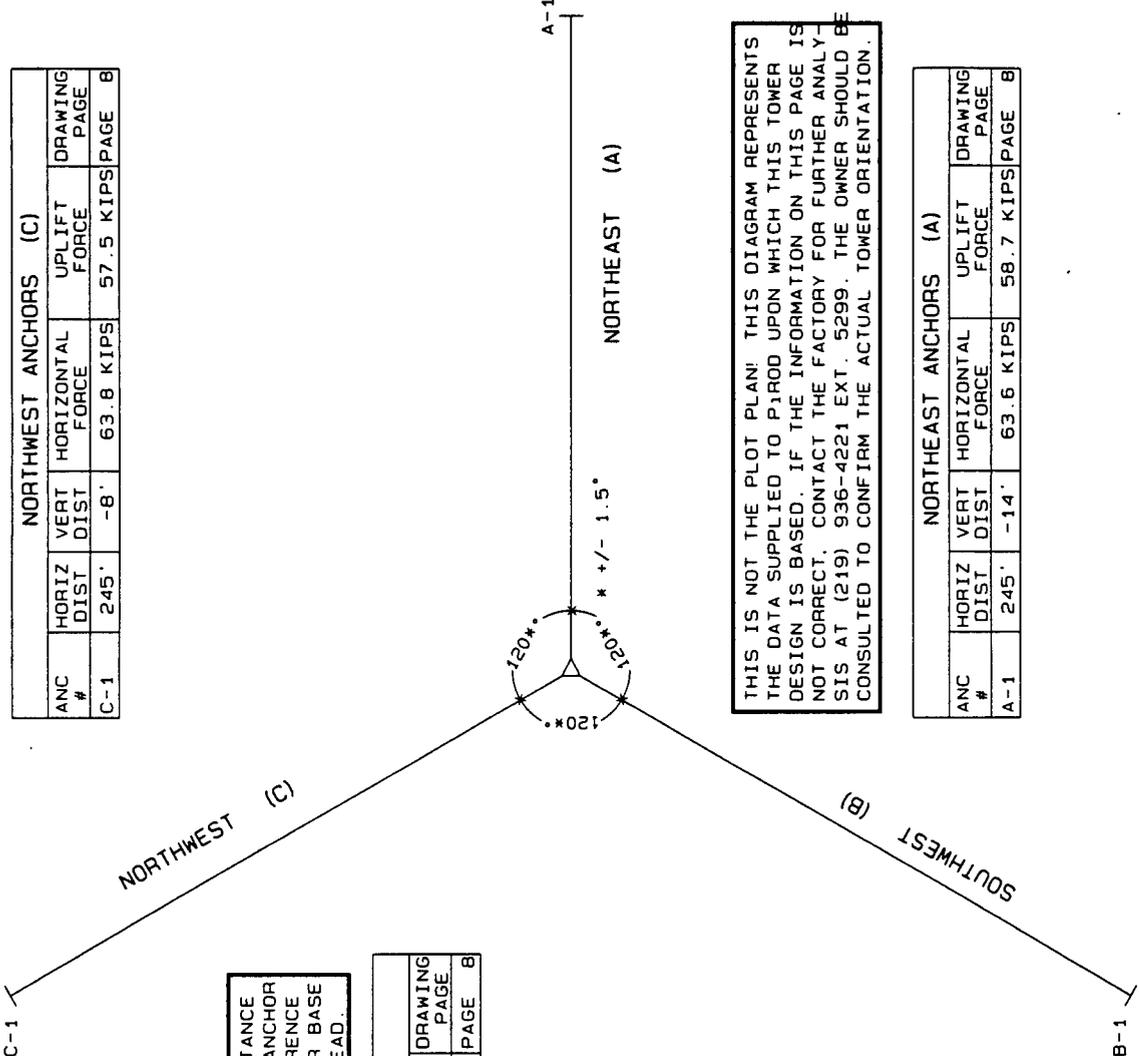
NORTHWEST ANCHORS (C)				
ANC #	HORIZ DIST	VERT DIST	UPLIFT FORCE	DRAWING PAGE
C-1	245'	-8'	63.8 KIPS	57.5 KIPS PAGE 8

SOUTHWEST ANCHORS (B)				
ANC #	HORIZ DIST	VERT DIST	UPLIFT FORCE	DRAWING PAGE
B-1	245'	-10'	63.8 KIPS	57.9 KIPS PAGE 8

NOTE: THE HORIZONTAL DISTANCE IS THE DISTANCE MEASURED FROM THE TOWER BASE PIN TO THE ANCHOR HEAD. THE VERTICAL DISTANCE IS THE DIFFERENCE BETWEEN THE GROUND ELEVATION AT THE TOWER BASE AND THE GROUND ELEVATION AT THE ANCHOR HEAD.

THIS IS NOT THE PLOT PLAN! THIS DIAGRAM REPRESENTS THE DATA SUPPLIED TO P/ROD UPON WHICH THIS TOWER DESIGN IS BASED. IF THE INFORMATION ON THIS PAGE IS NOT CORRECT, CONTACT THE FACTORY FOR FURTHER ANALYSIS AT (219) 936-4221 EXT. 5299. THE OWNER SHOULD BE CONSULTED TO CONFIRM THE ACTUAL TOWER ORIENTATION.

NORTHEAST ANCHORS (A)				
ANC #	HORIZ DIST	VERT DIST	UPLIFT FORCE	DRAWING PAGE
A-1	245'	-14'	63.6 KIPS	58.7 KIPS PAGE 8



AUG 12 1999

CROWN COMMUNICATIONS  
 CHAPLIN (ECHO 407KY), KY  
 # 36 X 351' GUYED TOWER

APPROVED/ENG.	WRH	08/12/1999
APPROVED/FOUND.	WRH	08/12/1999
DRAWN BY	TRP	

**GENERAL NOTES**

1. TOWER DESIGN CONFORMS TO STANDARD EIA/TIA-222-F FOR 70 MPH BASIC WIND SPEED WITH 0.50" RADIAL ICE WITH LOAD DUE TO WIND REDUCED BY 25% WHEN CONSIDERED SIMULTANEOUSLY WITH ICE. TOWER DESIGN CONFORMS TO STANDARD EIA/TIA-222-F FOR 70 MPH BASIC WIND SPEED WITH NO ICE.
2. MATERIAL: (A) SOLID RODS CONFORM TO ASTM A-572 GRADE 50 REQUIREMENTS.  
 (B) ANGLES CONFORM TO ASTM A-36 REQUIREMENTS.  
 (C) PIPE CONFORMS TO ASTM A-53 TYPE E, GRADE B REQUIREMENTS. (MIN YIELD STRENGTH=42 KSI)  
 (D) ALL STEEL PLATES CONFORM TO ASTM A-36 REQUIREMENTS.
3. FINISH: HOT DIPPED GALVANIZED AFTER FABRICATION.
4. ANTENNAS:  
 TOP - TWELVE ALP9011 ANTENNAS ON A LOW PROFILE PLATFORM WITH 1 5/8" LINES.  
 335' - TWELVE ALP9011 ANTENNAS ON THREE T-FRAMES WITH 1 5/8" LINES.  
 320' - TWELVE ALP9011 ANTENNAS ON THREE T-FRAMES WITH 1 5/8" LINES.  
 305' - TWELVE ALP9011 ANTENNAS ON THREE T-FRAMES WITH 1 5/8" LINES.  
 290' - TWO 8' HIGH PERFORMANCE DISHES WITH EW63.
5. MIN. WELDS 5/16" UNLESS OTHERWISE SPECIFIED. ALL WELDING TO CONFORM TO AWS SPECS.
6. ALL BOLTS AND NUTS MUST BE IN PLACE BEFORE THE ADJOINING SECTION(S) ARE INSTALLED.
7. ALL A-325 BOLTS ARE TO BE TIGHTENED TO A SNUG TIGHT CONDITION AS DEFINED BY AISC SPECIFICATION UNLESS OTHERWISE NOTED. A MORE QUANTITATIVE ALTERNATIVE APPROACH TO ACHIEVING A SNUG TIGHT CONDITION IS TO TIGHTEN USING THE TORQUE VALUES FROM DRAWING 123107-A.
8. EIA GROUNDING FOR TOWER.
9. DUAL LIGHT KIT (351' - 700')
10. ALL TRANSMISSION LINES MUST BE PLACED ON PIROD SUPPLIED TRANSMISSION LINE BRACKETS.



AUG 11 1999

CROWN COMMUNICATIONS  
 CHAPLIN (ECHO 407KY), KY  
 # 36 X 351' GUYED TOWER

APPROVED/ENG.	WRH	08/12/1999
APPROVED/FOUND	N/A	
DRAWN BY	TRP	



1545 Pidco Dr.  
 Plymouth, IN 46563-0128  
 219-936-4221

**FOUNDATION NOTES**

1. SOIL AS PER REPORT BY ATC ASSOCIATES, INC., DATED: 7/23/99 (FILE: 13000.9E57)
2. CONCRETE TO BE 3000 PSI @28 DAYS. REINFORCING BAR TO CONFORM TO ASTM A615 GRADE 60 SPECIFICATIONS. CONCRETE INSTALLATION TO CONFORM TO ACI-318 BUILDING REQUIREMENTS FOR REINFORCED CONCRETE. ALL CONCRETE TO BE PLACED AGAINST UNDISTURBED EARTH FREE OF WATER AND ALL FOREIGN OBJECTS AND MATERIALS. A MINIMUM OF THREE INCHES OF CONCRETE SHALL COVER ALL REINFORCEMENT. WELDING OF REBAR NOT PERMITTED.
3. ALL FILL SHOULD BE PLACED IN LOOSE LEVEL LIFTS OF NO MORE THAN 8" THICK. FILL MATERIALS SHOULD BE CLEAN AND FREE OF ORGANIC AND FROZEN MATERIALS OR ANY OTHER DELETERIOUS MATERIALS. COMPACT FILL TO 95% OF STANDARD PROCTOR MAXIMUM DRY DENSITY IN ACCORDANCE WITH ASTM D698.
4. A COLD JOINT IS PERMISSIBLE. AT THE TOWER BASE ONLY. UPON CONSULTATION WITH PIROD. ALL COLD JOINTS SHALL BE COATED WITH BONDING AGENTS PRIOR TO SECOND POUR.
5. DIFFICULTIES DURING EXCAVATION MAY ARISE DUE TO THE PRESENCE OF SHALLOW BEDROCK. PNEUMATIC HAMMERS, RIPPERS, AND/OR BLASTING MAY BE REQUIRED TO REMOVE MATERIAL FROM THE EXCAVATION.
6. A CONCRETE MAT MAY BE USED TO LEVEL THE BEARING SURFACE. THE CONCRETE IN THE LEVELING MAT IS TO HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT 28 DAYS AND CAN NOT EXCEED 12" IN THICKNESS.



12 1999

CROWN COMMUNICATIONS  
 CHAPLIN (ECHO 407KY), KY  
 # 36 X 351' GUYED TOWER

APPROVED/ENG.	WRH	08/12/1999
APPROVED/FOUND	WRH	08/12/1999

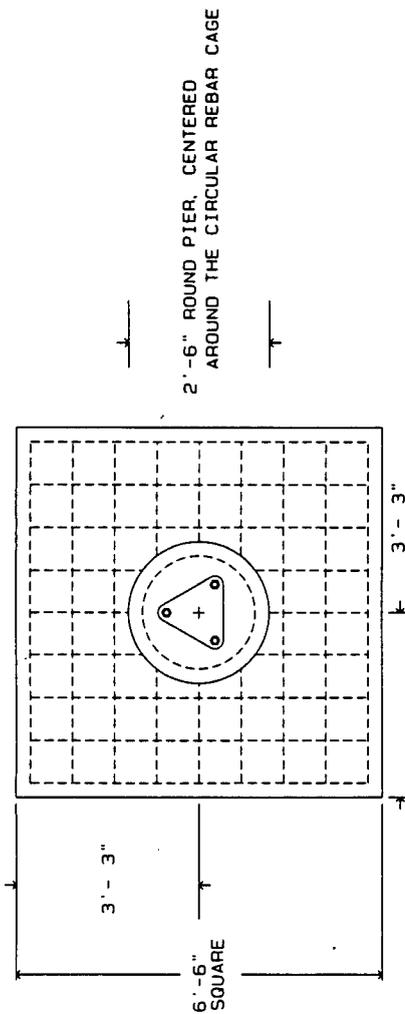


1545 Pidco Dr.  
 Plymouth, IN 46563-0128  
 219-936-4221

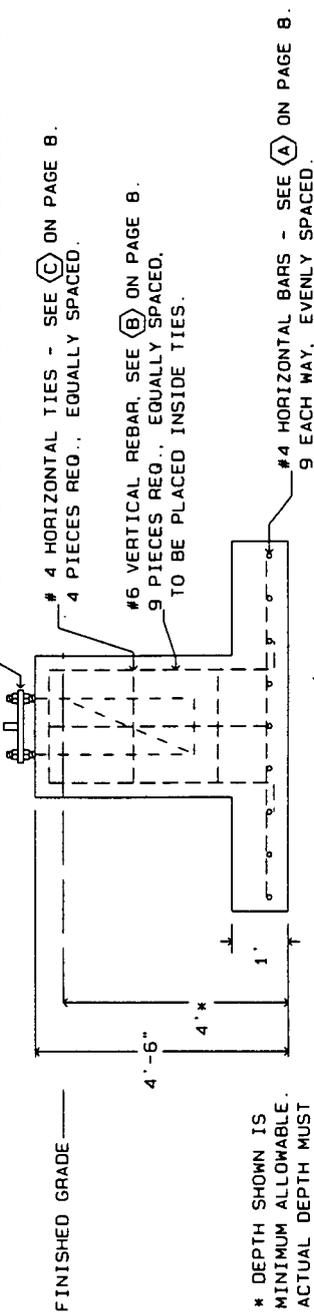
A	ADDED FOUNDATIONS PER SOIL REPORT	WRH	08/12/1999
REV	DESCRIPTION OF REVISIONS	INI	DATE

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ENG. FILE NO.	A-9908082A
ARCHIVE	Q-85676

DRAWING NO.	205225-8
PAGE	6 OF 10



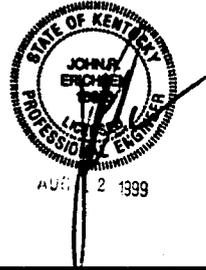
CAGE P/N 107261 CENTERED IN PIER.  
 INSTALL WITH 6" OF THREADS EXPOSED.  
 FOUNDATION PLATE P/N 107260.  
 GROUT AFTER LEVELING PLATE - BEFORE ERECTING TOWER.



\* DEPTH SHOWN IS MINIMUM ALLOWABLE. ACTUAL DEPTH MUST BE MIN. 6" BELOW LOCAL FROST LEVEL.

NOTE: ALL REBAR IS EQUALLY SPACED AND REQUIRES MIN. 3" CONCRETE COVER.

TOWER BASE FOUNDATION  
 2.2 CU. YDS. CONCRETE REQUIRED



CROWN COMMUNICATIONS  
 CHAPLIN (ECHO 407KY), KY  
 # 36 X 351' GUYED TOWER

APPROVED/ENG.	WRH	08/12/1999
APPROVED/FOUND	WRH	08/12/1999



REV	DESCRIPTION OF REVISIONS	INI	DATE
A	ADDED FOUNDATIONS PER SOIL REPORT	WRH	08/12/1999

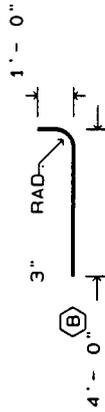
ENG. FILE NO. A-9908082A  
 Q-85676

DRAWING NO. 205225-B  
 PAGE 7 OF 10

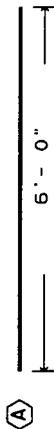
#4 REBAR - 4 PIECES REQUIRED TOTAL



LAP DIMENSION: 1'-4-1/2"  
 PLACE REBAR RINGS SO THAT LAPS ON  
 ADJACENT RINGS ARE 180 DEGREES APART  
 APPROX UNBENT LENGTH = 7'-8"  
 APPROX WT = 5.1# EACH, 20# TOTAL



#6 REBAR - 9 PIECES REQUIRED TOTAL  
 APPROX UNBENT LENGTH = 4'-10-3/4"  
 APPROX WT = 7.4# EACH, 67# TOTAL



#4 REBAR - 18 PIECES REQUIRED TOTAL  
 APPROX WT = 4.0# EACH, 72# TOTAL

TOTAL APPROXIMATE REBAR WEIGHT = 159#  
 REINFORCING BAR TO CONFORM TO ASTM A615 GRADE 60 SPECIFICATIONS

TOWER BASE FOUNDATION  
 REBAR DETAIL - NOT TO SCALE



Aug 12 1999

CROWN COMMUNICATIONS  
 CHAPLIN (ECHO 407KY), KY  
 # 36 X 351' GUYED TOWER

APPROVED/ENG. WRH 08/12/1999  
 APPROVED/FOUND WRH 08/12/1999



1545 Pidco Dr.  
 Plymouth, IN 46563-0128  
 219-936-4221

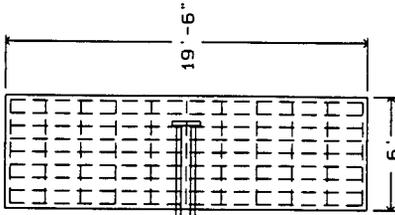
REV	DESCRIPTION OF REVISIONS	INI	DATE
A	ADDED FOUNDATIONS PER SOIL REPORT	WRH	08/12/1999

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 ENG. FILE NO. A-9908082A  
 Q-85676

DRAWING NO. 205225-B  
 PAGE 8 OF 10

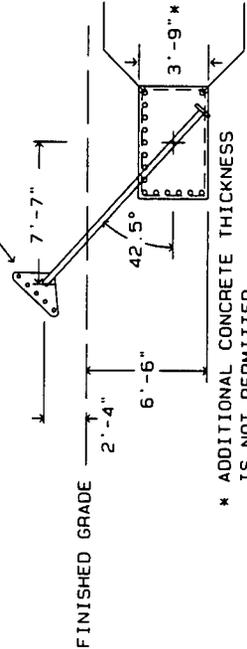
VERTICAL CENTERLINE OF ANCHOR HEAD MUST BE PLUMB +/- 2 DEGREES. ANCHOR RODS MUST BE STRAIGHT. CENTERLINE OF ANCHOR AND RODS MUST BE IN LINE WITH CENTERLINE OF TOWER +/- 1/2 DEGREE (ALL ANCHORS.)

SEE PAGE 4 FOR ACTUAL DISTANCE TO TOWER BASE AND RELATIVE HEIGHT.



ALL REBAR IS EQUALLY SPACED AND REQUIRES MIN. 3" CONCRETE COVER.  
 FOR GUY WIRE INSTALLATION SEE DRAWING #104834-B.  
 FOR GUY HARDWARE SIZES SEE TABLE ON PAGE 3.

P/N 125967 (ROD LENGTH=12'-6" )



#4 HORIZONTAL BARS. SEE (A) ON PAGE 10.  
 9 EA IN TOP  
 2 EA IN BOTTOM  
 4 EA IN FRONT (IN ADDITION TO THOSE IN THE TOP AND BOTTOM CORNERS.)  
 11 EA #4 BARS FORMED INTO RECTANGLE. SEE (B) ON PAGE 10.

\* ADDITIONAL CONCRETE THICKNESS IS NOT PERMITTED.

GUY ANCHORS AT LOCATIONS A-1, B-1 AND C-1  
 3 REQUIRED -16.3 CU. YDS. CONCRETE REQUIRED EACH



1999

CROWN COMMUNICATIONS  
 CHAPLIN (ECHO 407KY), KY  
 # 36 X 351' GUY ANCHORS

APPROVED/ENG. WRH 08/12/1999  
 APPROVED/FOUND. WRH 08/12/1999



1545 Pidco Dr.  
 Plymouth, IN 46563-0128  
 219-936-4221

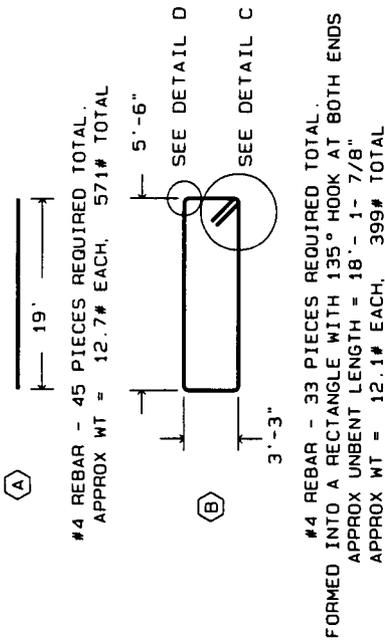
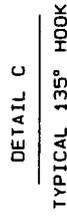
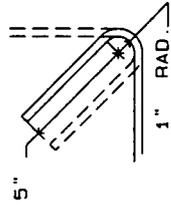
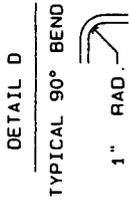
REV	DESCRIPTION OF REVISIONS	INI	DATE
A	ADDED FOUNDATIONS PER SOIL REPORT	WRH	08/12/1999

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 ARCHIVE 0-85676

DRAWING NO. 205225-B  
 PAGE 9 OF 10



TOTAL APPROXIMATE REBAR WEIGHT = 970#  
REINFORCING BAR TO CONFORM TO ASTM A615 GRADE 60 SPECIFICATIONS.

GUY ANCHORS AT LOCATIONS A-1, B-1 AND C-1  
REBAR DETAIL - NOT TO SCALE



AUG 12 1999

CROWN COMMUNICATIONS  
CHAPLIN (ECHO 407KY), KY  
# 36 X 351' GUY ANCHORS

APPROVED/ENG. WRH 08/12/1999  
APPROVED/FOUND. WRH 08/12/1999



REV	DESCRIPTION OF REVISIONS	INIT	DATE
A	ADDED FOUNDATIONS PER SOIL REPORT	WRH	08/12/1999

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PAGE 10 OF 10

Printed from: 205225AA.DWG - 08/12/1999 11:08 @ 08/12/1999 11:33 ARCHIVE

**EXHIBIT D**  
**COMPETING UTILITIES, CORPORATIONS, OR PERSONS LIST**

**COMPETING UTILITIES, CORPORATIONS, OR PERSONS LIST:**

1. American Tower
2. APEX
3. Tritel Communications
4. Nextel Partners
5. Spectra Site
6. CommNet
7. GTE Mobilenet, Inc.
8. BellSouth Mobility, Inc.
9. BellSouth Wireless Cable, Inc.
10. NextelWave
11. Powertel Kentucky, Inc.
12. SBA
13. Sprint PCS

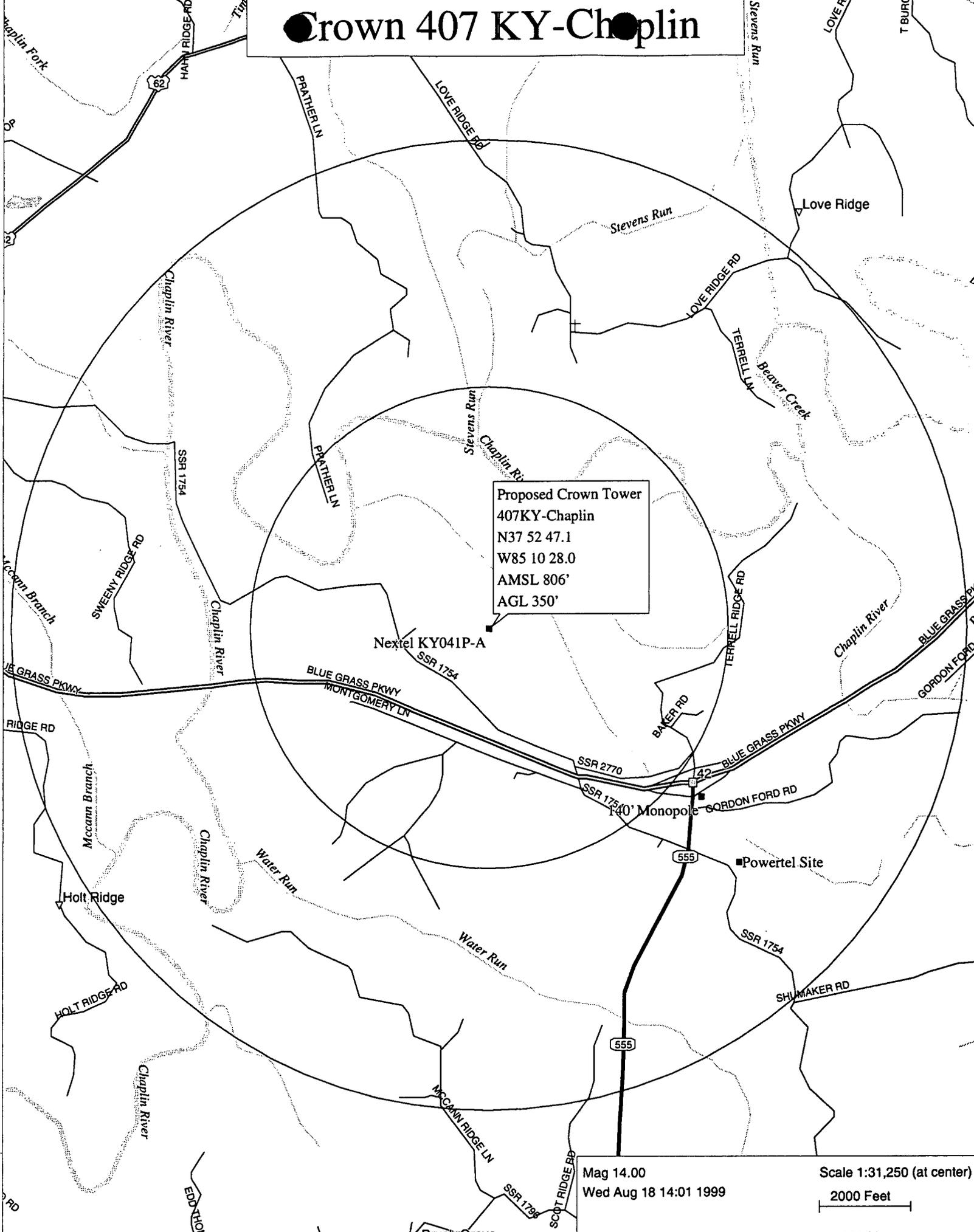
Exhibit E  
Collocation Report for  
Crown Communications  
407KY-Chaplin

There are no commercial towers or structures that meet the carrier height requirements within a two-mile radius of the proposed Chaplin tower. A 140' monopole is located at the intersection of Hwy 555 and the Bluegrass Parkway. This site is located outside the of the search ring and does not meet the height required to provide adequate coverage for Nextel.

Powertel is constructing A new tower approximately 1.6 miles southeast of the proposed Crown tower. The Powertel site is located outside of the search ring does not meet the height required to provide adequate coverage for Nextel.

A map is included with this report which shows the location of the known tower sites in relation to the proposed tower. The two circles centered on the proposed Crown tower have been plotted with a one-mile radius and a two-mile radius for reference.

# Crown 407 KY-Chaplin



Proposed Crown Tower  
407KY-Chaplin  
N37 52 47.1  
W85 10 28.0  
AMSL 806'  
AGL 350'

Nextel KY041P-A

42' Monopole  
Powertel Site

Mag 14.00  
Wed Aug 18 14:01 1999

Scale 1:31,250 (at center)  
2000 Feet  
1000 Meters



**EXHIBIT G**  
**APPLICATION TO KENTUCKY AIRPORT ZONING COMMISSION**

**2. DESCRIPTION OF STRUCTURE**

Please see attached.

<b>A. TYPE</b> <input checked="" type="checkbox"/> NEW CONSTRUCTION <input type="checkbox"/> ALTERATION	<b>B. CLASS</b> <input checked="" type="checkbox"/> PERMANENT <input type="checkbox"/> TEMPORARY	<b>C. WORK SCHEDULE</b> BEGIN <u>09/04/99</u> END <u>10/04/99</u>
---	--	---

**3A. APPLICANT - NAME, ADDRESS & TELEPHONE**

Shawn A. Dunlap/Regulatory Administrator  
Crown Communications Inc.  
375 Southpointe Boulevard  
Canonsburg, PA 15317

**B. REPRESENTATIVE OF APPLICANT - NAME, ADDRESS & TELEPHONE**

Shawn A. Dunlap/Regulatory Administrator  
Crown Communications Inc.  
375 Southpointe Boulevard  
Canonsburg, PA 15317

**4. LOCATION OF STRUCTURE**

<b>A. GEOGRAPHIC COORDINATES (NEAREST SECOND)</b>	<b>B. NEAREST KY CITY</b> Willisburg	<b>C. NEAREST KY AIRPORT</b> 612: LEBANON-SPRINGFIELD
LATITUDE 37°52'47.11"	(1) DISTANCE TO AB	(1) DISTANCE TO RUNWAY 15.0901 nm
LONGITUDE 85°10'28.04"	(2) DIRECTION TO AB	(2) DIRECTION TO AIRPORT 12 degrees

**5. HEIGHT & ELEVATION**

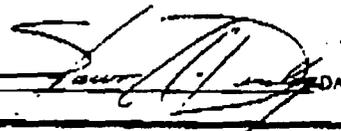
<b>A. SITE ELEVATION (ABOVE MEAN SEA LEVEL)</b>	806'
<b>B. HEIGHT OF STRUCTURE INCLUDING APPURTENANCES AND LIGHTS (ABOVE GROUND LEVEL)</b>	375'
<b>C. OVERALL HEIGHT (AMSL) (A+B)</b>	1181'

**6. OBSTRUCTION MARKING & LIGHTING**

<b>A. MARKED FOR THE PROTECTION OF AIR NAVIGATION (FLAGS, SPHERES, ETC.)</b>	YES	NO
<b>B. OBSTRUCTION MARKED IN ACCORDANCE WITH 602 KAR 50:100 (FAA AC 707460-1)</b>	<input checked="" type="checkbox"/>	
<b>C. OBSTRUCTION LIGHTED IN ACCORDANCE WITH 602 KAR 50:100 (FAA AC 707460-1)</b>	<input checked="" type="checkbox"/>	

**7. HAS "NOTICE OF CONSTRUCTION OR ALTERATION" (FORM 7460-1) BEEN FILED WITH THE FEDERAL AVIATION ADMINISTRATION? IF SO, WHEN?**

**I. CERTIFICATION** - I HEREBY CERTIFY THAT ALL THE ABOVE STATEMENTS MADE BY ME ARE TRUE, COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



BY Shawn A. Dunlap/Regulatory Administrator DATE 08/04/99  
NAME (PRINTED), SIGNATURE & TITLE

PENALTIES - PERSONS FAILING TO COMPLY WITH KENTUCKY REVISED STATUTES AND KENTUCKY AIRPORT ZONING COMMISSION ADMINISTRATIVE REGULATIONS ARE LIABLE FOR FINES OR IMPRISONMENT AS SET FORTH IN KRS 183.990(2). NON-COMPLIANCE WITH FEDERAL AVIATION ADMINISTRATION REGULATIONS MAY RESULT IN FURTHER PENALTIES.

<b>COMMISSION ACTION</b>	<input type="checkbox"/> CHAIRMAN, KAZC (OR) <input type="checkbox"/> ADMINISTRATOR, KAZC
<b>APPROVED</b>	_____ DATE _____
<b>SAPPROVED</b>	_____

**EXHIBIT H  
GEOTECHNICAL REPORT**



**GEOTECHNICAL ENGINEERING STUDY  
CROWN COMMUNICATIONS  
CHAPLAIN KY041 P-A TOWER  
5900 WILLISBURG ROAD  
CHAPLIN, KENTUCKY  
ATC Project No. 13000.9E57**

*Prepared For:*

*Crown Communications.  
11001 Bluegrass Parkway, Suite 330  
Louisville, Kentucky 40299*

*Attention: Mr. Rodney Strong*



2815 Watterson Trail  
Louisville, Kentucky 40299  
502.267.8355  
Fax 502.267.8528

July 23, 1999

Crown Communications  
11001 Bluegrass Parkway, Suite 330  
Louisville, Kentucky 40299

Attention: Mr. Rodney Strong

Re: Geotechnical Engineering Study  
Proposed Chaplain KY041 P-A Tower  
5900 Willisburg Road  
Chaplain, Kentucky  
ATC Project No. 13000.9E57

Gentlemen:

Transmitted herewith is our geotechnical engineering report for the referenced project as authorized in accordance with our January 15, 1998 proposal for environmental and geotechnical support services. This report contains our findings, an engineering interpretation of these findings with respect to the available project characteristics, and recommendations to aid design and construction of the tower foundations. We appreciate the opportunity to be of service to you on this project. If you have any questions regarding this report, please contact our office.

Cordially,

ATC Associates Inc.

A handwritten signature in cursive script that reads 'Elizabeth W. Stuber'.

Elizabeth W. Stuber, E.I.T.  
Project Engineer

A handwritten signature in cursive script that reads 'David L. Warder' with 'by MATH' written below it.

David L. Warder, P.E.  
Regional Geotechnical Engineer

Copies submitted: (4) Mr. Rodney Strong; Crown Communications

# LETTER OF TRANSMITTAL

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## APPENDIX

BORING LOCATION PLAN  
GEOTECHNICAL BORING LOG  
SOIL SAMPLE CLASSIFICATION

## GEOTECHNICAL ENGINEERING INVESTIGATION

### **Proposed Chaplain KY 041 P-A Tower**

5900 Willisburg Road

Chaplain, Indiana

ATC Project No. 13000.9E57

### **1. PURPOSE AND SCOPE**

The purpose of this study was to determine the general subsurface conditions at the location of the proposed tower by drilling four soil test borings and to evaluate this data with respect to foundations concept and design for the proposed tower and guy anchor locations. Also included is an evaluation of the site with respect to potential construction problems and recommendations dealing with quality control during construction.

### **2. PROJECT CHARACTERISTICS**

Crown Communications is planning to construct a guyed communications tower at 5900 Willisburg Road in Chaplain, Kentucky. The proposed tower location is shown on the Boring Location Plan in the Appendix. The tower will be about 350 feet in height and will be supported on a concrete foundation with guy anchors radiating from the tower 120 degrees apart. The guy cables will be secured by concrete dead-weight anchors located approximately 250 feet from the tower center. No foundation design loads have been provided. We assume that the maximum downward load on the tower will not exceed about 200 kips and that the maximum uplift and lateral forces on the guy anchors will be in the range of 75 to 100 kips/anchor. The development will also include a small equipment building near the base of the tower.

### **3. SUBSURFACE CONDITIONS**

The subsurface conditions were explored by drilling test borings at the proposed tower center location and each of the proposed anchor locations, which were staked in the field by the project surveyor. The Geotechnical Soil Test Boring Logs, which are included in the Appendix, describe the materials and conditions encountered. A sheet defining the terms and symbols used on the boring logs and explaining the Standard Penetration Test (SPT) procedure can also be found in the Appendix. The general subsurface conditions disclosed by the test borings are discussed in the following paragraphs.

About 3 to 4 inches of topsoil were encountered at the ground surface. The borings encountered apparently natural silty clay (CL) of low plasticity below the topsoil layer. The SPT N-values in the silty clay ranged from 7 to 17 blows per foot to indicating a medium stiff to very stiff consistency. Pocket penetrometer values used to estimate the unconfined compressive strength of cohesive soil ranged from 3.0 to 6.0 tons per square foot. The borings encountered auger refusal at depths between 4.1 and 16.3 feet below the existing ground surface. Auger refusal is defined as the depth below which a test boring can no longer be advanced with the soil drilling technique being used. Core drilling is required to determine the character and continuity of auger refusal material. A ten foot core run was taken in the boring located in the center of the tower. The core revealed light to dark gray limestone interbedded with shale that was continuous, moderately hard and weathered with thin clay layers less than about one inch thickness.

Groundwater observations made at completion of soil drilling operations indicated the borings to be dry. It must be noted, however, that short term water readings in clayey soils are generally not a reliable indication of the actual groundwater level. Furthermore, it must be emphasized that the groundwater level is generally not stationary, but will fluctuate seasonally.

According to the Seismic Zone Map of the United States, Chaplain, Kentucky is within Zone 1. In this system, Zone 3 is the most seismically active while Zone 0 has the lowest earthquake potential. Considering the subsurface conditions encountered at the site as they relate to Table 16-J in the 1997 Uniform Building Code, the soil-profile type is  $S_c$ .

#### **4. FOUNDATION DESIGN RECOMMENDATIONS**

The following design recommendations have been developed on the basis of the previously described project characteristics (Section 2.0) and subsurface conditions (Section 3.0). This office should be notified if the project description included herein is incorrect, or if the proposed structure location is changed, to establish whether revisions to the following recommendations are necessary.

##### **4.1. Tower Foundation**

Our findings indicate that the proposed tower can be supported on a spread footing bearing in the stiff silty clay soils at or below a depth of 2.5 feet below the existing ground surface. The footing can be designed for a net allowable soil pressure of 4,000 lbs/sq.ft. It is important that the foundation excavation be carefully inspected as described in Section 5.1 to insure that the foundation will bear on suitable material.

In using net pressures, the weight of the foundation and backfill over the foundation need not be considered; hence, only loads applied at or above the existing ground surface elevation need be used for dimensioning the foundation. The bottom of the tower foundation should bear at a depth of at least 2.5 feet below the final exterior grade for frost protection.

It is estimated that resulting foundation settlement should not exceed about 0.75 inches. Careful field control will contribute substantially to minimizing the settlements.

#### **4.2. Guy Anchors**

The guy anchor blocks must be designed to resist both the uplift and horizontal components of the guy cable forces. The uplift force can be resisted by the dead weight of the anchor block as well as the soil material that is placed over the anchor block. Unless a very high factor of safety is used, only the weight of the soil immediately above and within the perimeter of the anchor block should be used in calculating uplift resistance. A total soil unit weight of 120 lbs/cu. ft. can be used for the backfill material that is placed above the anchor blocks, provided it is compacted as recommended in Section 5.2. Using this procedure, it is recommended that a safety factor of at least 1.2 be used for calculating uplift resistance from an anchor block, provided only the weight of the anchor block and the soil immediately above it are used to resist uplift forces. Because of the shallow depth of bedrock, rock anchors can also be used to resist uplift forces.

The horizontal component of the guy force must be resisted by the "passive" earth pressure that is developed along the face of the anchor block. It is recommended that an allowable passive pressure of 1000 lb./sq.ft. be used for that portion of the anchor block that is below a depth of 2.0 feet. No passive resistance should be included for any portion of the anchor block that is located within the upper 2.0 feet.

#### **4.3. Equipment Building**

The equipment building may be supported on shallow, spread footings bearing in the shallow clay soil and designed for a net allowable soil pressure of 3,000 pounds per square foot. The footings should be at least ten inches wide and should bear at a depth of at least 30 inches to minimize the effects of frost action. Any topsoil, frozen or excessively soft material must be removed beneath footings.

The floor slab for the new equipment building may be subgrade supported on a properly prepared subgrade. The slab should be designed and adequately reinforced to resist the loads proposed. The exposed subgrade should be carefully inspected by probing and testing as needed. Any organic material (topsoil) still in place, frozen or excessively soft soil and other undesirable materials should be removed.

Once the subgrade has been properly prepared and evaluated, fill may be placed to attain desired final grades. Any non-organic, naturally occurring, non-expansive soils can be used for structural fill, including those encountered on this site, pending evaluation by the geotechnical engineer.

All engineered fill should be compacted to a dry density of at least 100 percent of the standard Proctor maximum dry density (ASTM D698). The compaction should be accomplished by placing the fill in about eight inch loose lifts and mechanically compacting each lift to at least the specified density. Field tests should be performed on each lift as necessary to insure that adequate compaction is being achieved.

Surface run-off water should be drained away from the foundation excavations and not allowed to pond. It is recommended that all foundation concrete be placed the same day the excavation is made.

## **5. GENERAL CONSTRUCTION PROCEDURES AND RECOMMENDATIONS**

It is possible that variations in subsurface conditions will be encountered during construction. It is recommended the geotechnical engineer or a representative be retained to perform continuous inspection and review during construction of the soils-related phases of the work. This will permit correlation between the test boring data and the actual soil conditions encountered during construction.

### **5.1. Tower Foundation Excavation**

The tower foundation excavation should be inspected by the geotechnical engineer or a qualified soils technician to insure that all undesirable material is removed and that the foundation will bear on satisfactory material as described in Section 4.1. At the time of such inspection, it will be necessary to make hand auger borings or use a hand penetration device in the base of the foundation excavation to insure that the soils below the base are satisfactory for foundation support. The necessary depth of penetration will be established during inspection.

If undercutting is required in order to remove unsuitable materials at the tower foundation location, the foundation bearing elevation may be re-established by backfilling after all undesirable materials have been removed or the foundation can be placed at the lower depth. The undercut excavation beneath the foundation should extend to suitable bearing soils and the dimensions of the excavation base should be determined by imaginary planes extending outward and down on a 2 (vertical) to 1 (horizontal) slope from the base perimeter of the foundation. The entire excavation should then be refilled with a well-compacted granular fill as described in Section 5.2 or lean concrete may be used. Special care should be exercised to remove any sloughed, loose or soft materials near the base of the excavation slopes with benches as necessary, to insure that no pockets of loose or soft materials will be left in place along the excavation slopes below the foundation bearing level.

Soils exposed in the base of the foundation excavation should be protected against any detrimental changes in conditions such as from disturbance, rain and freezing. Surface run-off water should be drained away from the excavation and not allowed to pond. If possible, all concrete should be placed that same day the excavation is made. If this is not practical, the excavation should be adequately protect.

## **5.2. Fill Compaction**

All engineered fill placed adjacent to and above the tower foundation and guy anchor blocks should be compacted to a dry density of at least 95 percent of the standard Proctor maximum dry density (ASTM D-698). This minimum compaction requirement should be increased to 100 percent for any fill placed below the tower foundation bearing elevation. Any fill placed beneath the tower foundation should be limited to well-graded sand and gravel or crushed stone. The compaction should be accomplished by placing the fill in about 8 inch (or less) loose lifts and mechanically compacting each lift to at least the specified minimum dry density. Field density tests should be performed on each lift as necessary to insure that adequate moisture conditioning and compaction is being achieved.

Compaction by flooding is not considered acceptable. This method will generally not achieve the desired compaction and the large quantities of water will tend to soften the foundation soils.

## **5.3. Construction Dewatering**

No serious dewatering problems are anticipated. At the time of our investigation, the ground water level appeared to be below the anticipated excavation depths. However, depending upon seasonal conditions, some minor seepage into excavations may be experienced. It is anticipated that any such seepage can be handled by conventional dewatering methods such as pumping from sumps.

# **6. FIELD INVESTIGATION**

One boring was drilled at the proposed tower center and one was drilled at each anchor location, all of which were established in the field by the project surveyor. Split-spoon samples were obtained by the Standard Penetration Test (SPT) procedure (ASTM D1586) in the overburden portion of the test

borings. The borings encountered auger refusal at depths ranging from 4.1 to 16.3 feet below existing grade. Representative portions of the soil samples were sealed in glass jars and returned to our laboratory. A ten foot rock core was performed at the tower center and was terminated 26.3 feet below the ground surface. The core run was saved in an appropriate box and returned to the lab.

The boring logs are included in the Appendix along with a sheet defining the terms and symbols used on the logs and an explanation of the Standard Penetration Test (SPT) procedure. The logs present visual descriptions of the soil strata encountered, Unified System soil classifications, groundwater observations, sampling information, laboratory test results, and other pertinent field data and observations.

## **7. LABORATORY INVESTIGATION**

The split-spoon samples were inspected and visually classified by a geotechnical engineer in general accordance with the Unified Soil Classification System and the field boring logs were edited as necessary. To aid in classifying the soil samples and to check the general soil characteristics, pocket penetrometer tests were performed on selected samples. The results of these tests are included on the boring logs.

## **8. WARRANTY AND LIMITATIONS OF STUDY**

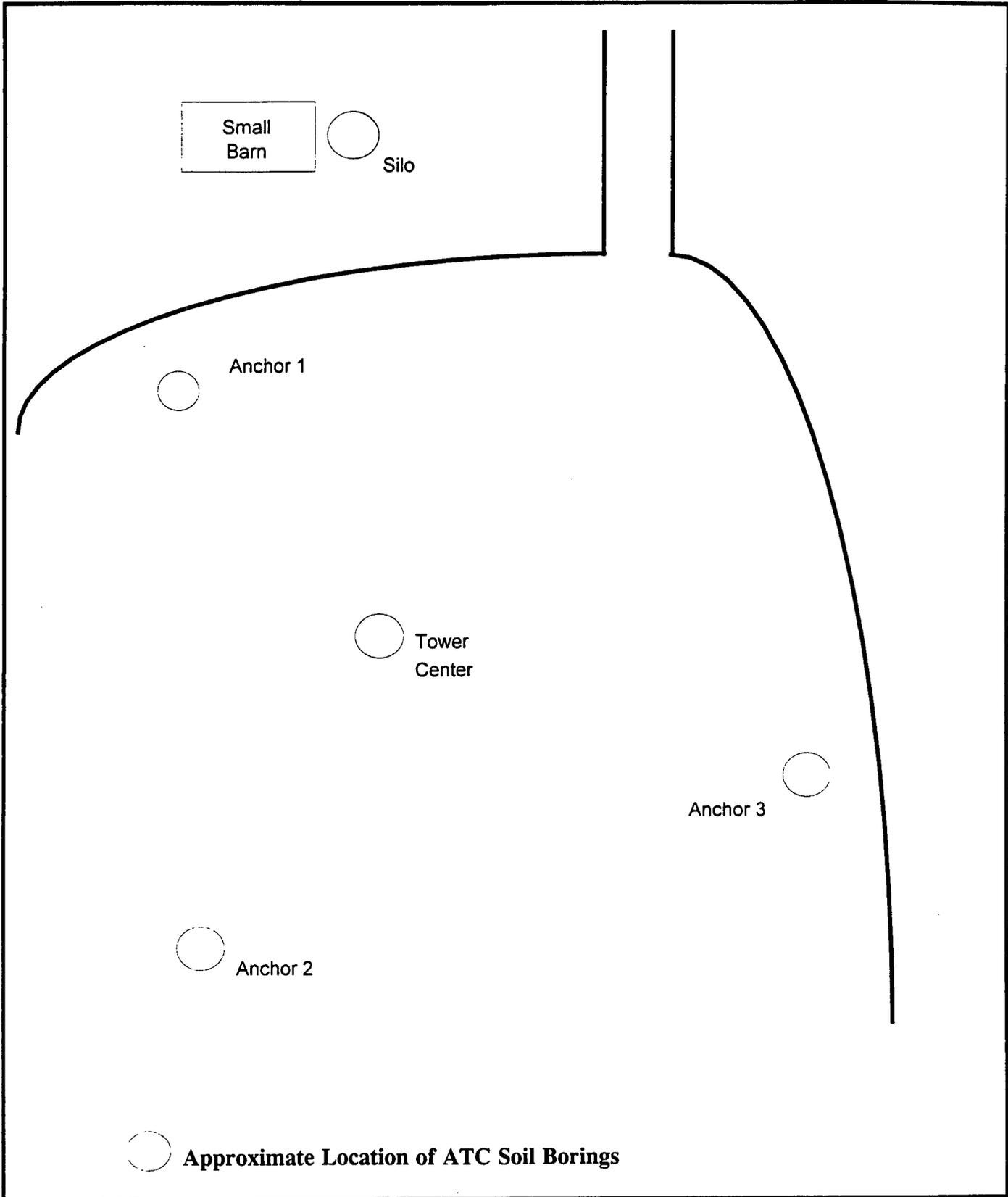
Our professional services have been performed, our findings obtained, and our recommendations prepared in accordance with generally accepted geotechnical engineering principles and practices. This warranty is in lieu of all other warranties, either express or implied. ATC Associates Inc. is not responsible for the independent conclusions, opinions or recommendations made by others based on the field exploration and laboratory test data presented in this report.

A geotechnical study is inherently limited since the engineering recommendations are developed from information obtained from test borings that only depicts subsurface conditions at the specific locations, time and depths shown on the logs. Soil conditions at other locations may differ from those encountered in the test borings, and the passage of time may cause the soil conditions to change from those described in this report.

The nature and extent of variation and change in the subsurface conditions at the site may not become evident until the course of construction. Construction monitoring by the geotechnical engineer or a representative is therefore considered necessary to verify the subsurface conditions and to check that the soils connected construction phases are properly completed. If significant variations or changes are in evidence, it may then be necessary to reevaluate the recommendations of this report. Furthermore, if the project characteristics are altered significantly from those discussed in this report, if the project information contained in this report is incorrect, or if additional information becomes available, a review must be made by this office to determine if any modification in the recommendations will be required.

APPENDIX

SITE LOCATION PLAN  
GEOTECHNICAL BORING LOG  
SOIL SAMPLE CLASSIFICATION



<b><u>BORING LOCATION PLAN</u></b>  Crown Communications Chaplain KY041 P-A Tower Chaplain, Kentucky	<b>PROJECT NUMBER</b> 13000.9E57	
	<b>SCALE</b> Unknown	

CLIENT: Crown Communications  
PROJECT: Proposed Chaplin KY041P-A Tower  
LOCATION: Chaplin, Kentucky

BORING NUMBER: Center  
PROJECT NUMBER: 13000.9E57  
PROJECT MANAGER: Beth Stuber

Surface Elevation:  
Date Started: 7/20/99  
Date Completed: 7/20/99

Hammer Weight: 140 lbs.  
Hammer Drop: 30 in.  
Drill Foreman: Geo-Drill

Hole Dia.: 7.5 in.  
Boring Method: HSA  
Supervisor: Beth Stuber

ELEV	MATERIAL DESCRIPTION	LAYER DEPTH & TYPE	DEPTH SCALE	SAMPLE DATA						NOTES
				NO	BLOWS	TYPE	REC	w,%	PP,tsf	
	Topsoil SILTY CLAY (CL) - medium stiff, light brown - stiff	0.3		1	4-4-3	SPT	75		5.5	About 4 inches of topsoil were encountered at the ground surface.
				2	4-5-7	SPT	95		5.0	
				3	3-5-6	SPT	100		3.0	
	- very stiff		5	4	7-10-7	SPT	100		3.5	
			10	5	8-13-50/1"	SPT	70		6.0	
			15	6	50/3"	SPT	20		-	
		16.3								
	AUGER REFUSAL LIMESTONE interbedded with SHALE - continous, moderately hard, weathered, light to dark gray with thin clay partings.		20	7	n/a	RC	100		-	RQD = 20 percent
	TERMINATED	26.3	25							
			30							
			35							

CLIENT: Crown Communications  
PROJECT: Proposed Chaplin KY041P-A Tower  
LOCATION: Chaplin, Kentucky

BORING NUMBER: Anchor 1  
PROJECT NUMBER: 13000.9E57  
PROJECT MANAGER: Beth Stuber

Surface Elevation:  
Date Started: 7/20/99  
Date Completed: 7/20/99

Hammer Weight: 140 lbs.  
Hammer Drop: 30 in.  
Drill Foreman: Geo-Drill

Hole Dia.: 7.5 in.  
Boring Method: HSA  
Supervisor: Beth Stuber

ELEV	MATERIAL DESCRIPTION	LAYER DEPTH & TYPE	DEPTH SCALE	SAMPLE DATA						NOTES
				NO	BLOWS	TYPE	REC	w,%	PP,tsf	
	Topsoil SILTY CLAY (CL) - very stiff, brown	0.2		1	2-12-8	SPT	70		6.0	About 3 inches of topsoil were encountered at the ground surface.
				2	7-8-8	SPT	95		-	
		4.1		3	19-50/1"	SPT	35		4.8	
	AUGER REFUSAL		5							Borehole was dry at the completion of drilling operations.
			10							
			15							
			20							
			25							
			30							
			35							

CLIENT: Crown Communications  
PROJECT: Proposed Chaplin KY041P-A Tower  
LOCATION: Chaplin, Kentucky

BORING NUMBER: Anchor 2  
PROJECT NUMBER: 13000.9E57  
PROJECT MANAGER: Beth Stuber

Surface Elevation:  
Date Started: 7/20/99  
Date Completed: 7/20/99

Hammer Weight: 140 lbs.  
Hammer Drop: 30 in.  
Drill Foreman: Geo-Drill

Hole Dia.: 7.5 in.  
Boring Method: HSA  
Supervisor: Beth Stuber

ELEV	MATERIAL DESCRIPTION	LAYER DEPTH & TYPE	DEPTH SCALE	SAMPLE DATA						NOTES
				NO	BLOWS	TYPE	REC	w,%	PP,tsf	
	Topsoil SILTY CLAY (CL) - medium stiff, brown with trace root fibers - stiff	0.2		1	2-4-6	SPT	65		3.8	About 3 inches of topsoil were encountered at the ground surface.
				2	6-7-8	SPT	65		3.8	
		4.2		3	15-50/2"	SPT	35		-	
	AUGER REFUSAL		5							
			10							
			15							Borehole was dry at the completion of drilling operations.
			20							
			25							
			30							
			35							

CLIENT: Crown Communications  
 PROJECT: Proposed Chaplin KY041P-A Tower  
 LOCATION: Chaplin, Kentucky

BORING NUMBER: Anchor 3  
 PROJECT NUMBER: 13000.9E57  
 PROJECT MANAGER: Beth Stuber

Surface Elevation:  
 Date Started: 7/20/99  
 Date Completed: 7/20/99

Hammer Weight: 140 lbs.  
 Hammer Drop: 30 in.  
 Drill Foreman: Geo-Drill

Hole Dia.: 7.5 in.  
 Boring Method: HSA  
 Supervisor: Beth Stuber

ELEV	MATERIAL DESCRIPTION	LAYER DEPTH & TYPE	DEPTH SCALE	SAMPLE DATA					NOTES	
				NO	BLOWS	TYPE	REC	w,%		PP,tsf
	Topsoil SILTY CLAY (CL) - medium stiff, light brown - stiff	0.2		1	3-4-5	SPT	80		4.8	About 3 inches of topsoil were encountered at the ground surface.
				2	4-6-6	SPT	75		5.0	
				3	4-5-8	SPT	85		-	
	AUGER REFUSAL	5.1	5							Borehole was dry at the completion of drilling operations.
			10							
			15							
			20							
			25							
			30							
			35							

GEOTECHNICAL 13000-57.GPJ 7/22/99

# SOIL SAMPLE CLASSIFICATION

## GRANULAR SOILS

(Silt, Sand, Gravel and Combinations)

### Density

Very Loose	- 5 blows/ft. or less
Loose	- 6 to 10 blows/ft.
Medium Dense	- 11 to 30 blows/ft.
Dense	- 31 to 50 blows/ft.
Very Dense	- 51 blows/ft. or more

### Particle Size Identification

Boulders	- 8 inch diameter or more
Cobbles	- 3 to 8 inch diameter
Gravel	- Coarse - 1 to 3 inch
	Medium - ½ to 1 inch
	Fine - ¼ to ½ inch
Sand	- Coarse - 2.00 mm to ¼ inch
	Medium - 0.42 to 2.00 mm
	Fine - 0.074 to 0.42 mm
	Silt - 0.002 to 0.074 mm
Clay	- less than 0.002 mm

### Relative Proportions      Percent

Trace	1 - 10
Little	11 - 20
Some	21 - 35
And	36 - 50

## COHESIVE SOILS

(Clay, Silt and Combinations)

### Consistency

Very Soft	- 3 blows/ft. or less
Soft	- 4 to 5 blows/ft.
Medium Stiff	- 6 to 10 blows/ft.
Stiff	- 11 to 15 blows/ft.
Very Stiff	- 16 to 30 blows/ft.
Hard	- 31 blows/ft. or more

### Plasticity

Degree of Plasticity	Plasticity Index
None to Slight	0 - 4
Slight	5 - 7
Medium	8 - 22
High to Very High	over 22

Classification on logs are made by visual inspection of samples unless otherwise undicated.

Standard Penetration Test - Driving a 2.0" O.D., 1-3/8" I.D. split-spoon sampler a distance of 12 inches into undisturbed soil with a 140 pound hammer free falling a distance of 30 inches. The sample is initially driven 6 inches to penetrate into undisturbed soil, then the test is performed. The number of hammer blows for seating the spoon and making the test are recorded for each 6 inches of penetration on the boring log (Example: 6-8-9). The standard penetration test N-value can be obtained by adding the last two figures (i.e. 8+9=17 blows/ft.). (ASTM D-1586)

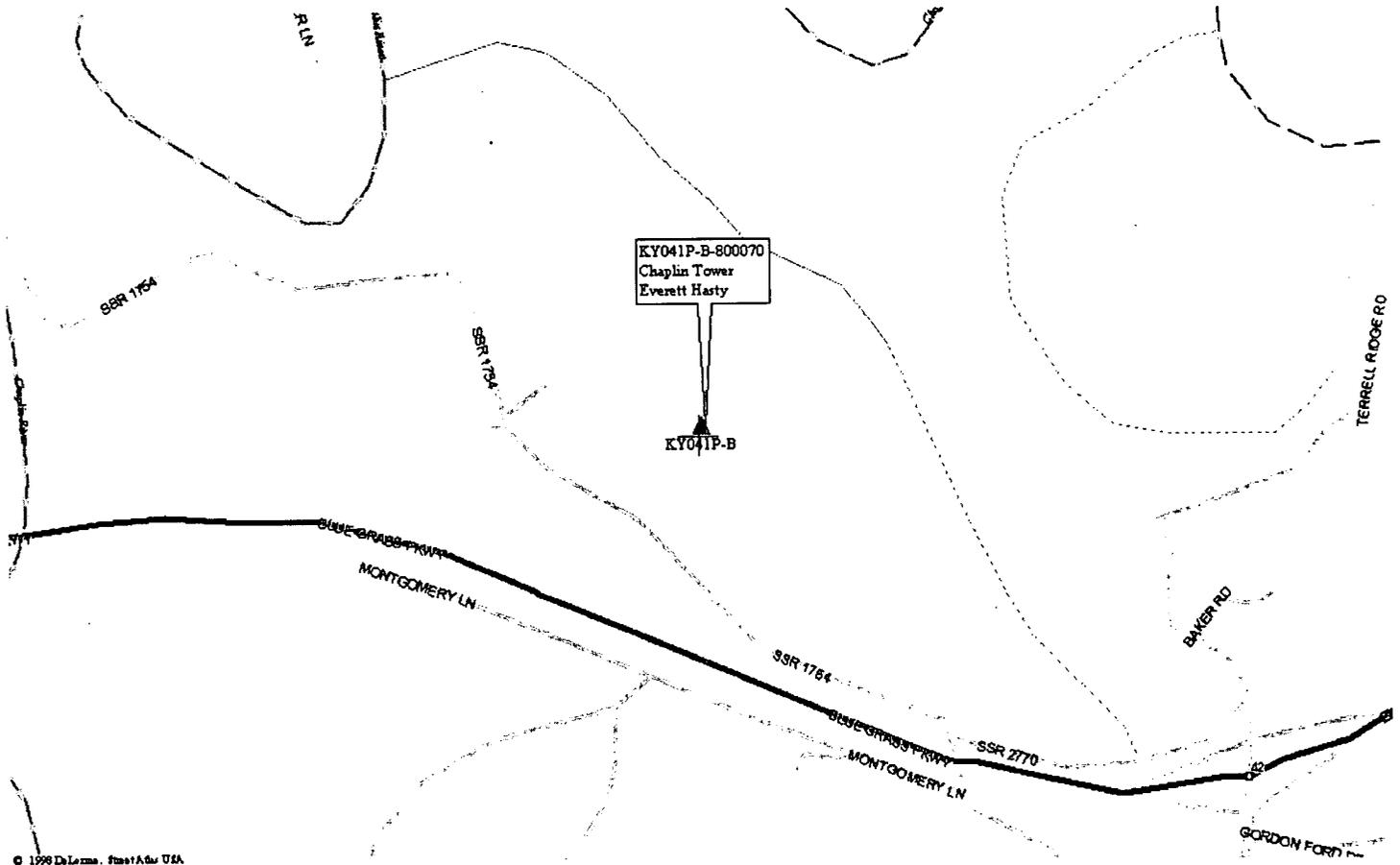
Strata Changes - In the column "Material Description" on the boring log, the horizontal lines represent strata changes. A solid line ( — ) represents an actually observed change, a dashed line ( - - - ) represents an estimated change.

Ground Water observations were made at the times indicated. Porosity of soil strata, weather conditions, site topography, etc. may cause changes in the water levels indicated on the logs.



**EXHIBIT I**  
**DIRECTIONS TO WCF SITE**

# CANDIDATE LOCATION MAP



**SITE ADDRESS** 5892 Willisburg Road (SSR 1754)  
 City/Town: Willisburg County: Washington State: KY Zip: 40078

**ACCESS INSTRUCTIONS:** Contact landowner prior to all site visits.  
**CONTACT:** Everett or Brenda Hasty **PHONE:** (606) - 375 - 2584

**DIRECTIONS TO SITE:** From Springfield, KY: Beginning at the intersection of US150 (Main Street) and SR 555, turn north and travel approximately 14 miles then turn west (left) onto SSR 1754. (Hwy 1754 is approximately 0.1 miles south of the Bluegrass Parkway). From the intersection of SR 555 and SSR 1754, continue west on Hwy. 1754 approximately 1.2 miles then turn north (right) onto a gravel farm road that is immediately east of a trailer with a street address of 5900. Continue back onto the property, passing a barn on your left, then turning left past the silo at a second barn. Continue past the silo straight along the existing field road, following the ridge to the proposed tower site. Total distance to the site from Hwy 1754 approximately 0.3 miles.

502-648-5807  
 Prepared By: Rodney C. Strong

*R.C. Strong*

Proprietary, Restricted & Confidential  
 Pursuant to Company Instructions

**EXHIBIT J**  
**COPY OF REAL ESTATE AGREEMENT**

**MEMORANDUM OF  
LEASE AGREEMENT**

**THIS MEMORANDUM OF LEASE AGREEMENT ("Memorandum")**, made this \_\_\_\_ day of \_\_\_\_\_, 1999, by and between Everett Hasty , and Brenda Hasty , husband and wife, having a mailing address of 5996 Chaplin Road Willisburg, KY 40078, (hereinafter, "**Lessor**"), Tennants in Common, and **CROWN COMMUNICATION INC.**, a Delaware corporation, doing business in Kentucky as **CROWN COMMUNICATIONS**, with an office address of 375 Southpointe Blvd., Canonsburg, Pennsylvania 15317 (hereinafter referred to as "**Lessee**").

**WITNESSETH**

1. Lessor and Lessee entered into a Lease Agreement dated \_\_\_\_\_ ("**Lease**"), of a portion of certain real property of Lessor located at 5996 Chaplin Road, in Washington County, Kentucky, which real property is more particularly described on Exhibit A attached hereto.

2. That portion of said real property leased by Lessee is a 100 feet by 100 feet parcel of land [and 10 feet around all guy lines] together with a non-exclusive right of ingress and egress seven (7) days per week, twenty-four (24) hours per day, along a right-of-way extending from the nearest public right-of-way, together with the right to install, replace and maintain utility wires, poles, cables, conduits and pipes, which area is more particularly described and shown on Exhibit "B" attached hereto ("**Leased Premises**").

3. The Lease conveys to Lessee the right TO HAVE AND TO HOLD the Leased Premises for a term of up to One Hundred (100) years from the date of the Lease, unless earlier terminated in accordance with the terms of the Lease.

4. Lessor covenants to restrict, on the remainder of the parcel of which the Leased Premises is a part, the construction, installation or operation of any other wireless communications facilities which emit radio frequencies without the prior written consent of Lessee.

5. A copy of the Lease is on file with Lessor and Lessee.

6. This Memorandum constitutes a memorandum of the unrecorded Lease, all the terms and conditions of which are hereby made a part hereof with the same force and effect as though fully set forth herein and the terms of which control this Memorandum notwithstanding any inconsistency between the provisions hereof and the Lease.

7. The terms, covenants and provisions of the Lease and this Memorandum shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of Lessor and Lessee.

8. Lessee certifies that Lessee's precise address is 375 Southpointe Blvd., Canonsburg, Pennsylvania 15317.

IN WITNESS WHEREOF, Lessor and Lessee have caused this Memorandum to be duly executed on the day and year first written above.

"LESSOR"

Everett Hasty Everett Hasty  
[Print Name] Everett Hasty

Brenda Hasty Brenda Hasty  
[Print Name] Brenda Hasty

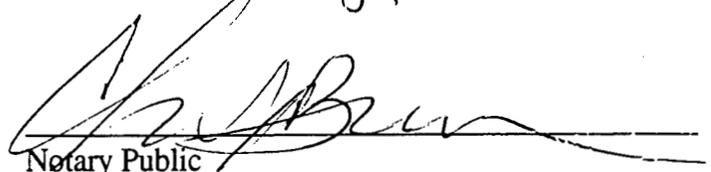
"LESSEE"

CROWN COMMUNICATION INC.,  
a Delaware corporation

By: \_\_\_\_\_  
John Binkley  
Vice President and General Manager

COMMONWEALTH OF KENTUCKY )  
COUNTY OF Washington ) SS: -

The foregoing instrument was subscribed, sworn to and acknowledged before me by Everett and Brenda Hardy on this 30 day of July, 1999.

  
Notary Public

My Commission expires: 6-18-03

COMMONWEALTH OF KENTUCKY )  
COUNTY OF JEFFERSON ) SS:

**CORPORATE ACKNOWLEDGMENT**

On this \_\_\_\_ day of \_\_\_\_\_, 1999, before me, the subscriber, a Notary Public, in and for the Commonwealth of Pennsylvania, personally appeared **John Binkley**, Vice President and General Manager of Crown Communication Inc., a Delaware corporation, and in due form of law acknowledged that he is authorized on behalf of said corporation to execute all documents pertaining hereto and acknowledged to me that he executed the same as his voluntary act and deed on behalf of said corporation.

IN TESTIMONY WHERE, I have hereunto set my hand and affixed my seal in said County and Commonwealth as of the day and year last above written.

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_

PREPARED BY:

---

Norman W. Graham  
WYATT, TARRANT & COMBS  
500 West Jefferson Street  
Louisville, KY 40202  
(502) 589-5235

E:\NWG\CR-LEAKY.MEM.wp

**EXHIBIT "A"**

**to**

**MEMORANDUM OF LEASE AGREEMENT**

**FULL LEGAL DESCRIPTION OF PROPERTY AND SOURCE OF TITLE**

DEED TAX \$ 38<sup>50</sup>

Exhibit "A"

RECORDED  
CLERK 000043

A. H. ROBERTSON,

COUNTY CLERK # 107

#12645-04

MAR 15 4 36 PM '76

DEED  
**375037**

WASHINGTON CO. KY.  
BY

*Jan 5 50*  
*pd # 70*

THIS DEED OF CONVEYANCE, made and entered into this

15th day of March, 1976, by and between JAMES B. LEWIS and CORNIE  
LANE LEWIS, his wife (Grantors), whose post office address is  
Willisburg, Washington County, Kentucky 40078, and EVERETT HASTY  
and BRENDA HASTY, his wife (Grantees), whose post office address  
is Tatum Springs Road, Willisburg, Washington County, Kentucky  
40078.

WITNESSETH: That for a valuable consideration of  
Thirty-Eight Thousand Four Hundred Dollars (\$38,400.00) cash, paid  
to the Grantors by the Grantees, receipt of which the Grantors  
do hereby acknowledge, the Grantors do hereby grant, bargain, sell  
and convey with Covenant of General Warranty of Title in fee  
simple unto the Grantees, as joint tenants with right of survivor-  
ship, the following described real property, to-wit:

A FARM, situated and located in  
Washington County, Kentucky, 1/4 miles west of  
Willisburg, Kentucky, on the Willisburg and  
Chaplin Turnpike and more particularly  
described as follows:

BEGINNING at the center of said pike,  
a corner to Louise Richards; thence with his  
line north 66 1/2 degrees east 27.83 poles to  
center of a passway; thence with same north 16  
degrees west 8.92 poles, north 8 degrees west  
10.56 poles, north 12 degrees east 17.64 poles  
to a post; north 29 1/2 degrees east 19.76 poles  
to a post at head of drain; thence with drain  
north 67 1/2 degrees east 13.44 poles; north 81  
degrees east 7.48 poles; south 87 1/2 degrees east  
13 poles, south 75 degrees east 7 poles to  
bunch of willows on east bank of branch, a  
corner to S. Terrell; thence with branch north  
31-3/4 degrees east 28.24 poles; north 42  
degrees east 19.16 poles to a large branch  
corner to George Royalty; thence down the  
branch north 25 -3/4 degrees, west 13.68 poles;  
north 31 1/2 degrees west 6.72 poles, north 54 1/2  
degrees west 19.52 poles, north 68 1/2 degrees  
west 13.44 poles, north 83 degrees west 13.88  
poles, north 51 degrees west 28.28 poles, north  
52-3/4 degrees west 19 poles, north 40 1/2 degrees  
west 9.56 poles, north 24 1/2 degrees west 12.28  
poles, north 50 degrees west 15.72 poles, north  
72-3/4 degrees west 10.44 poles to a branch and  
county road to Ella Hardin; thence with same

south 30 $\frac{1}{2}$  degrees west 16.92 poles, south 13 $\frac{3}{4}$  degrees west 18.34 poles, south 16 degrees 9.40 poles, south 27 degrees east 12.88 poles, south 24 degrees east 9.92 poles, south 7 $\frac{1}{2}$  degrees east 20.2 poles, south 4 degrees east 18.32 poles, south 14 degrees west 10.44 poles, south 33 $\frac{1}{2}$  degrees west 26.8 poles, south 45-3/4 degrees west 21.8 poles, corner to H. Dean; south 53 degrees west 9.24 poles, south 42 degrees west 9.8 poles, south 73 $\frac{1}{2}$  degrees west 7.64 poles to pike; thence with same south 45 degrees east 14.96 poles, south 79 degrees east 7.12 poles, south 50 $\frac{1}{2}$  degrees east 10.16 poles, south 79 $\frac{1}{2}$  degrees east 18.24 poles, south 58 $\frac{1}{2}$  degrees east 14.84 poles, south 36 degrees east 9.48 poles, south 63 $\frac{1}{2}$  degrees east 10.2 poles to the beginning, containing 99 acres as surveyed by T. J. Settles, on August 6, 1925.

THIS BEING THE SAME PROPERTY which was conveyed to James B. Lewis by deed dated January 2, 1972, from Clyde Hood and Abbie Hood, his wife, and recorded in the office of the Clerk of the Washington County Court in Deed Book 114, page 110, and by deed dated October 12, 1973, from Clyde Hood and Abbie Hood, his wife, said deed being recorded in said Clerk's office in Deed Book 117, page 219.

To have and to hold the above described real property, together with all of the rights, privileges, appurtenances and improvements thereunto belonging unto the Grantees, their heirs and assigns forever, as joint tenants with right of survivorship, in fee simple with Covenant of General Warranty of Title.

The Grantors further covenant that they are lawfully seized of the within described property with full right and power to convey, and that said property is free and clear from all liens and encumbrances whatsoever, except state and local taxes for the year 1976 and all subsequent taxes which the Grantees hereby assume and agree to pay.

Provided, however, that this conveyance is made subject to restrictions, stipulations and easements of record affecting this property.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands, this the day and year first above written.

*James B. Lewis*  
James B. Lewis

*Connie Lane Lewis*  
Connie Lane Lewis

**EXHIBIT "B"**  
**to**  
**MEMORANDUM OF LEASE AGREEMENT**

**SITE SURVEY**



"EXHIBIT B"

SHEET 2 OF 2

CHAPLIN KY-041P-B

*This is a description for Crown Communication Inc., of an area to be leased from the property of Everett & Brenda Hasty, which is further described as follows:*

**LEASE AREA**

*Beginning at a fence post being the east property corner of the property conveyed to Everett and Brenda Hasty, recorded in Deed Book 123 Page 49, in the Office of the Clerk, of the County Court, of Washington County, Kentucky, said point being approximately 1072' from the apparent southwest corner of the property conveyed to Richard Roy in Deed Book 78 Page 451, in the aforesaid office; thence traversing the Hasty property N. 16° 46' 31" E. - 497.92' to a set #5 rebar and the TRUE POINT OF BEGINNING of the Lease Area; thence N. 64° 02' 24" W. passing a set #5 rebar at 50.00' in all 100.00' to a set #5 rebar; thence N. 25° 57' 36" E. - 100.00' to a set #5 rebar; thence S. 64° 02' 24" E. - 100.00' to a set #5 rebar; thence S. 25° 57' 36" W. - 100.00' to the point of beginning containing 10,000 square feet as per survey by T. Alan Neal Company dated July 29, 1999.*

**CENTERLINE OF 20' ACCESS & UTILITY EASEMENT**

*Beginning at a fence post being the east property corner of the property conveyed to Everett and Brenda Hasty in Deed Book 123 Page 49, in the office of the Clerk, of the County Court, of Washington County, Kentucky, said point being approximately 1072' from the apparent southwest corner of the property conveyed to Richard Roy in Deed Book 78 Page 451, in the aforesaid office; thence traversing the Hasty property N. 16° 46' 31" E. - 497.92' to a set #5 rebar; thence N. 64° 02' 24" W. - 50.00' to a set #5 rebar and the TRUE POINT OF BEGINNING of the centerline a proposed 20' Access & Utility Easement; thence following said centerline S. 36° 52' 53" W. - 131.39' to a set #5 rebar; thence S. 17° 11' 07" W. - 249.07' to a set #5 rebar; thence S. 27° 22' 19" W. - 90.09' to a set #5 rebar; thence S. 16° 30' 40" W - 29.34' to a set #5 rebar; thence S. 21° 19' 00" E - 22.72' to a set #5 rebar; thence S. 35° 18' 25" E - 70.61' to a set #5 rebar; thence S. 11° 16' 19" W. - 317.10' to a set #5 rebar; thence S. 03° 03' 05" E. - 215.41' to a set #5 rebar; thence S. 55° 29' 46" W. - 222.42' to a set #5 rebar; thence S. 60° 14' 01" W. - 98.05' to a set #5 rebar; thence S. 49° 17' 38" W. - 143.15' to a set P.K. Nail in the centerline of Chaplin Road (a.k.a. Highway 1754) and the end of said easement.*

LESSOR  
INITIALS E.H.

LESSEE  
INITIALS \_\_\_\_\_

## Supplement to Exhibit J

Paragraph 7 of the Lease Agreement States the following:

7. **Surrender of Property.** Upon expiration or termination of this Lease, Lessee shall, within sixty (60) days, remove its building(s), tower, and all above ground fixtures and restore the Leased Premises to its original condition, reasonable wear and tear excepted.

**EXHIBIT K  
CERTIFICATION OF NOTIFICATION**

## CERTIFICATION OF NOTIFICATION

1)

Everett and Erma Hasty  
5996 Chaplin Road  
Willisburg, KY 40078

2)

Richard Roy c/o John W. Kelly  
P.O. Box 229  
Springfield, KY40069

**EXHIBIT L**  
**COPY OF PROPERTY OWNER NOTIFICATION**

August 23, 1999

Everett and Erma Hasty  
5996 Chaplin Road  
Willisburg, KY 40078

RE: Public Notice - Public Service Commission of Kentucky  
Case No.: 99-342  
Our Site No: 407KY-Chaplin

Dear Everett and Erma:

Crown Communication Inc. and NPCR, Inc. (Nextel Partners) have applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide wireless telecommunication services. The facility will include a 350 foot tower with appurtenances attached to a maximum height of 375 feet, and a ground level equipment shelter to be located at 5892 Chaplin Road, Willisburg, KY 40078. A temporary tower of shorter stature might be erected at said location while awaiting final PSC approval and the approved tower is operational. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you own property within a 500' radius of the proposed tower

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission within 20 days of the date of this letter as shown above. Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, Kentucky 40602. Please refer to Case No: 99-342 in your correspondence.

Feel free to call me at (502) 240-0044, if you have any questions.

Sincerely,  
CROWN COMMUNICATIONS

  
Rodney Strong  
Site Acquisition Specialist  
Crown Communication, Inc

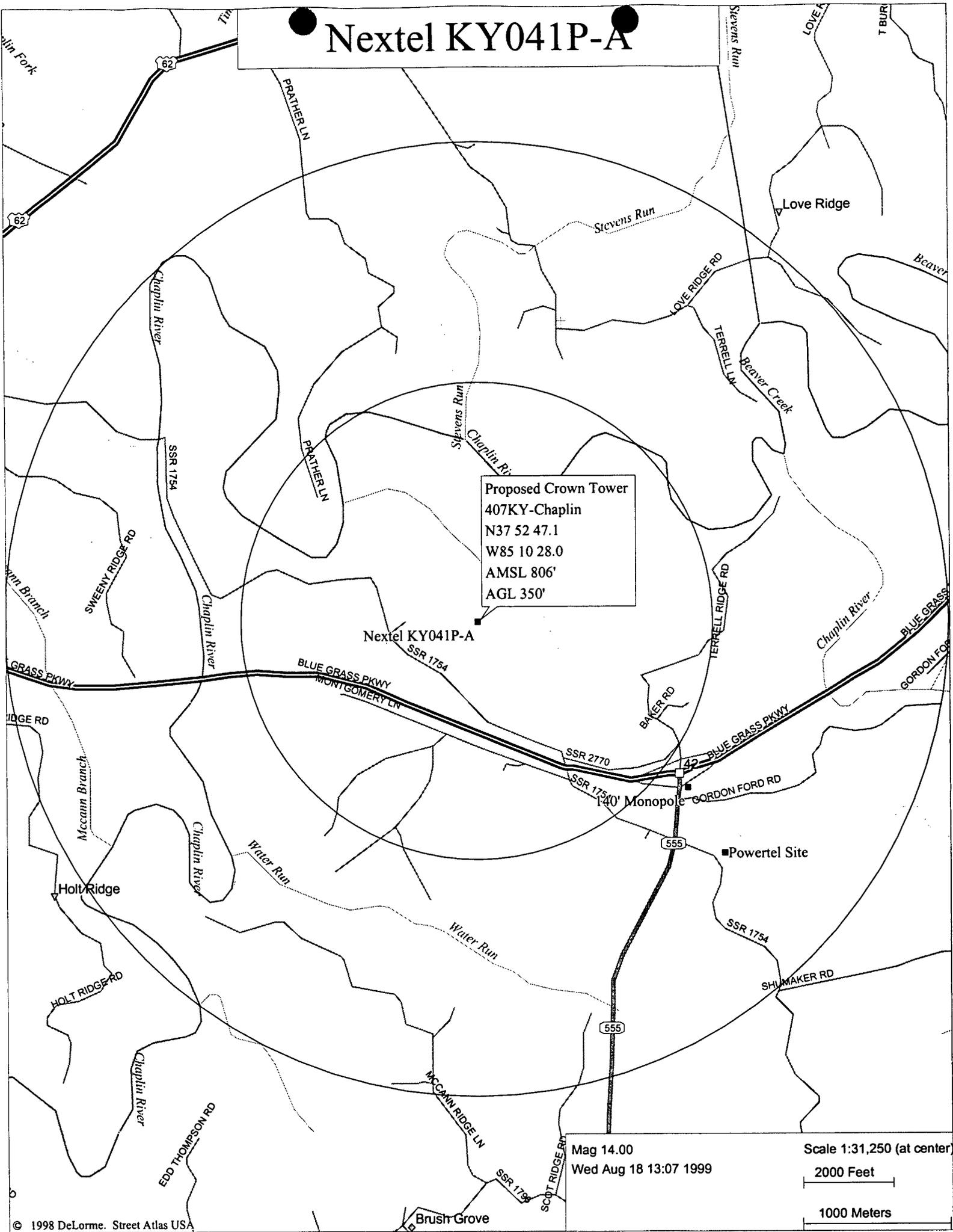
# Nextel KY041P-A

Proposed Crown Tower  
407KY-Chaplin  
N37 52 47.1  
W85 10 28.0  
AMSL 806'  
AGL 350'

Nextel KY041P-A

Powertel Site

140' Monopole



Mag 14.00  
Wed Aug 18 13:07 1999

Scale 1:31,250 (at center)  
2000 Feet  
1000 Meters

August 23, 1999

Richard Roy c/o John W. Kelly  
P.O. Box 229  
Springfield, KY40069

RE: Public Notice - Public Service Commission of Kentucky  
Case No.: 99-342  
Our Site No: 407KY-Chaplin

Dear Sir:

Crown Communication Inc. and NPCR, Inc. (Nextel Partners). have applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide wireless telecommunication services. The facility will include a 350 foot tower with appurtenances attached to a maximum height of 375 feet, and a ground level equipment shelter to be located at 5892 Chaplin Road, Willisburg, KY 40078. A temporary tower of shorter stature might be erected at said location while awaiting final PSC approval and the approved tower is operational. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you own property within a 500' radius of the proposed tower

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Feel free to call me at (502) 240-0044, if you have any questions.

Sincerely,  
CROWN COMMUNICATIONS

  
Rodney Strong  
Site Acquisition Specialist  
Crown Communication, Inc

# Nextel KY041P-A

Proposed Crown Tower  
407KY-Chaplin  
N37 52 47.1  
W85 10 28.0  
AMSL 806'  
AGL 350'

Nextel KY041P-A

■ Powertel Site

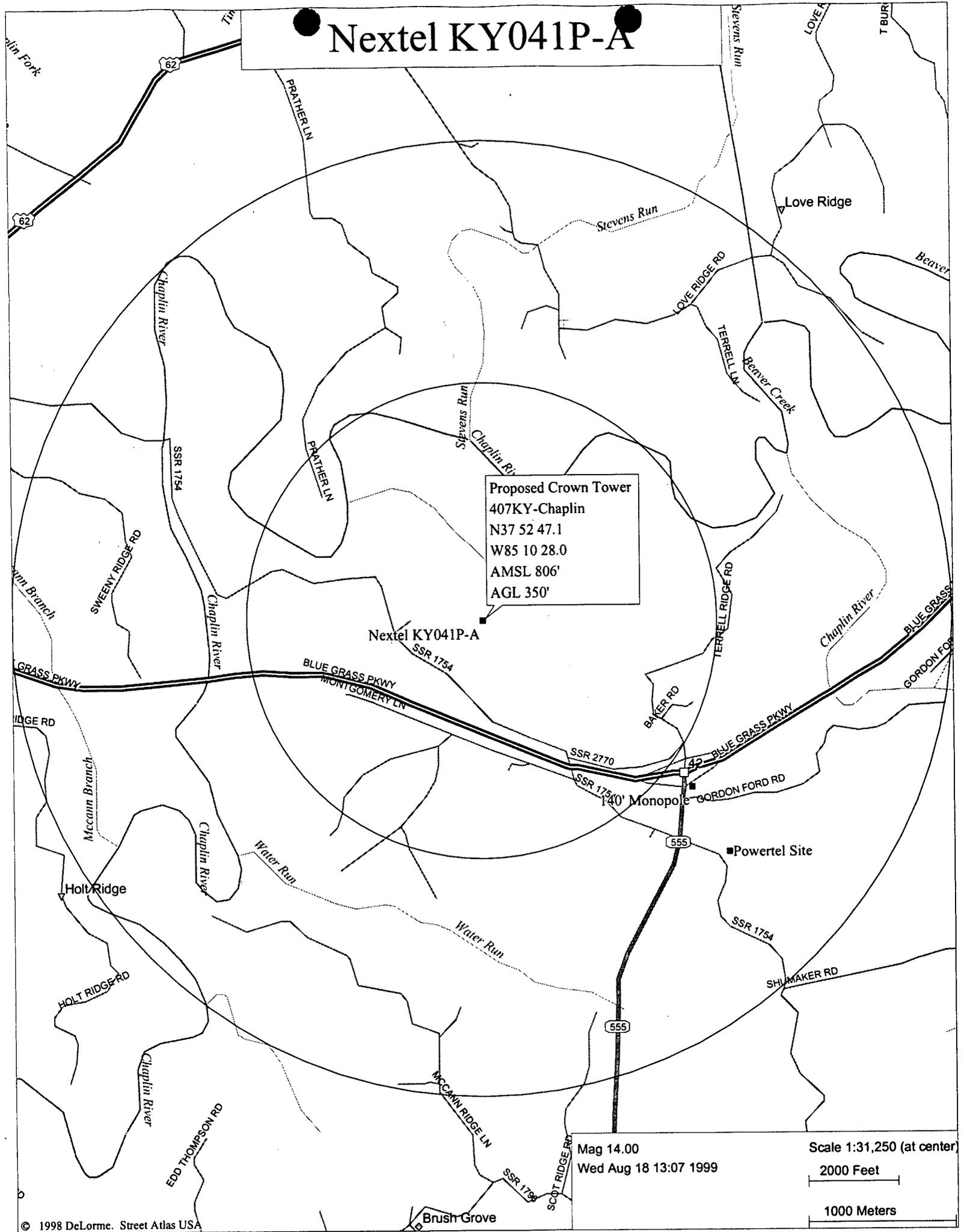
140' Monopole

Mag 14.00  
Wed Aug 18 13:07 1999

Scale 1:31,250 (at center)

2000 Feet

1000 Meters



**EXHIBIT M**  
**COPY OF JUDGE EXECUTIVE NOTICE**

August 23, 1999

Hon. John Settles  
Washington County Judge Executive  
P.O. Box 126  
Springfield, KY40069

RE: Public Notice - Public Service Commission of Kentucky  
Case No.: 99-342  
Our Site No: 407KY-Chaplin

Honorable Judge Settles:

Crown Communication Inc. and NPCR, Inc. (Nextel Partners). have applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide wireless telecommunication services. The facility will include a 350 foot tower with appurtenances attached to a maximum height of 375 feet, and a ground level equipment shelter to be located at 5892 Chaplin Road, Willisburg, KY 40078. A temporary tower of shorter stature might be erected at said location while awaiting final PSC approval and the approved tower is operational. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you are the Judge Executive of Washington County.

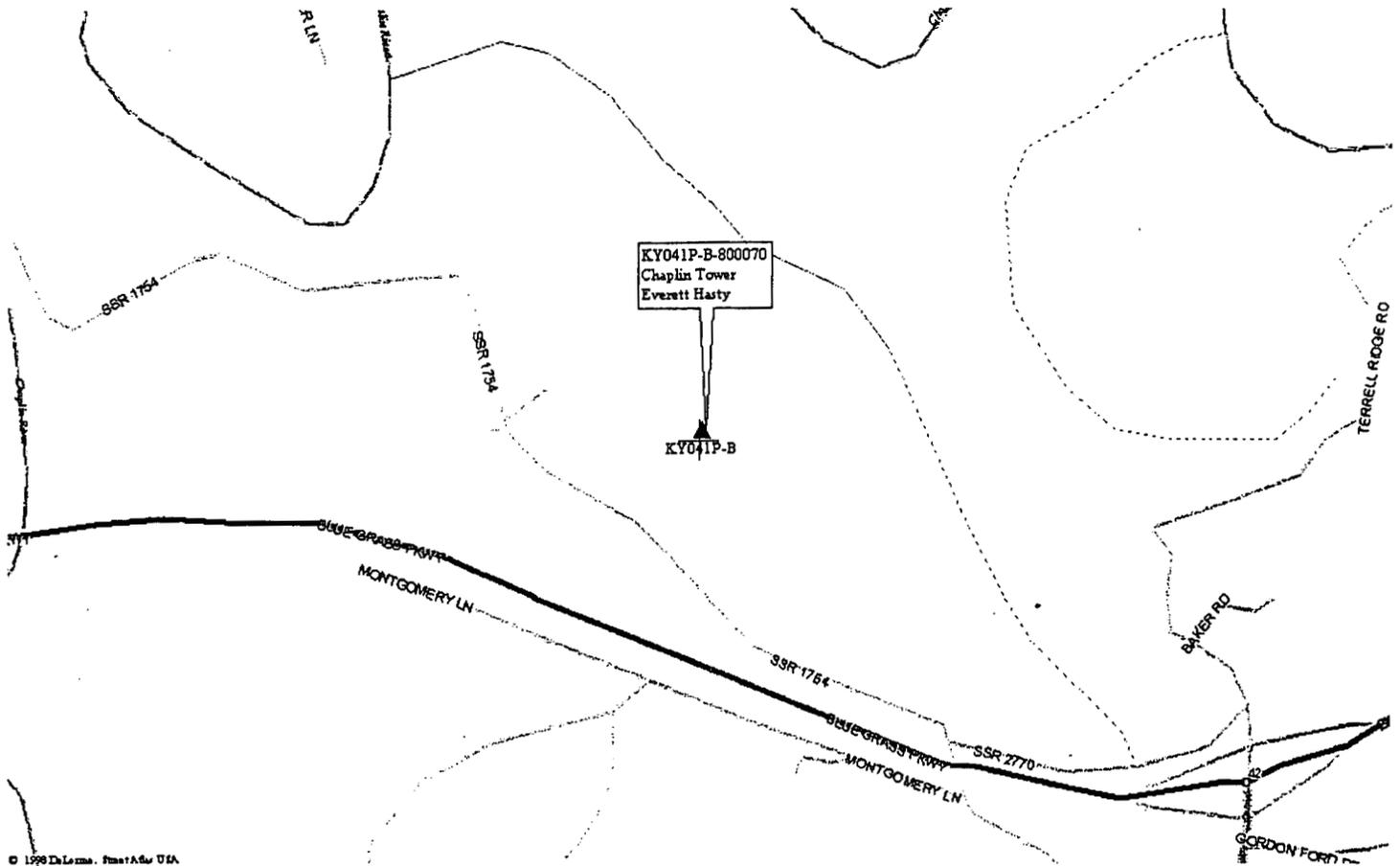
The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission within 20 days of the date of this letter as shown above. Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, Kentucky 40602. Please refer to Case No: 99-342 in your correspondence.

Feel free to call me at (502) 240-0044, if you have any questions.

Sincerely,  
CROWN COMMUNICATIONS

  
Lloyd McCarthy  
For Crown Communication, Inc

# CANDIDATE LOCATION MAP



**SITE ADDRESS** 5892 Willisburg Road (SSR 1754)  
 City/Town: Willisburg County: Washington State: KY Zip: 40078

**ACCESS INSTRUCTIONS:** Contact landowner prior to all site visits.  
**CONTACT:** Everett or Brenda Hasty **PHONE:** (606) - 375 - 2584

**DIRECTIONS TO SITE:** From Springfield, KY: Beginning at the intersection of US150 (Main Street) and SR 555, turn north and travel approximately 14 miles then turn west (left) onto SSR 1754. (Hwy 1754 is approximately 0.1 miles south of the Bluegrass Parkway). From the intersection of SR 555 and SSR 1754, continue west on Hwy. 1754 approximately 1.2 miles then turn north (right) onto a gravel farm road that is immediately east of a trailer with a street address of 5900. Continue back onto the property, passing a barn on your left, then turning left past the silo at a second barn. Continue past the silo straight along the existing field road, following the ridge to the proposed tower site. Total distance to the site from Hwy 1754 approximately 0.3 miles.

503-648-5807  
 Prepared By: Rodney C. Strong  
*R.C. Strong*

*Proprietary, Restricted & Confidential  
 Pursuant to Company Instructions*

**EXHIBIT N**  
**COPY OF POSTING NOTICES**

## Copies of Posting Notices

Crown Communication, Inc proposes to construct a

### **TELECOMMUNICATIONS TOWER**

on this site. If you have questions, please contact the General Manager, Crown Communication, Inc., 11001 Bluegrass Parkway, Suite 330, Louisville, KY 40299, (502) 240-0044 or the Executive Director, Public Service Commission, 730 Schenkel Lane, P.O. Box 615, Frankfort, KY 40602.  
Please refer to Case # 99-342 in your correspondence.

Crown Communication, Inc., proposes to construct a

### **TELECOMMUNICATIONS TOWER**

near this site. If you have questions, please contact the General Manager, Crown Communication, Inc., 11001 Bluegrass Parkway, Suite 330, Louisville, KY 40299, (502) 240-0044 or the Executive Director, Public Service Commission, 730 Schenkel Lane, P.O. Box 615, Frankfort, KY 40602.  
Please refer to Case # 99-342 in your correspondence.

**EXHIBIT O**  
**COPY OF RADIO FREQUENCY DESIGN SEARCH AREA**



# Search Area Report for

KY-2076-1 New Cell 35

Revision #: 1  
Issued On: 2/18/99

Phase #: 0  
Dsgn #: 1  
Region: 0 TBD  
Launch Area: 0 TBD

Service Area: 0 TBD  
Proj Office: TBD

## DESIGN SPECIFICATIONS

Latitude: 37 - 52 - 37.50 N = 37.87708 deg  
Longitude: 85 - 10 - 32.40 W = -85.17566 deg  
Source:

GE (AMSL): 801 ft = 244.14 meter

Rad Center: 350 ft = 106.68 meter

Allowable RC Range: 340' - 350'

## ANTENNA CONFIGURATION

# of sectors: 1

TTA Used?

Yes  No  TBD

Omni  Bi-Secto  Tri-Secto  
 Quasi-Omn  Quasi-Hwy  TBD

### Sect 1 (alpha)

### Sect 2 (beta)

### Sect 3 (gamma)

1. Ant Azimuth Orientation

0 deg

deg

deg

2. Antenna Model #

DB810

0

0

- Number of Antennas
- Manufacturer's Name
- Antenna Gain / Polarizati
- Horiz (Vert) 3dB Beamwid
- Dimension (WxH)
- Length / Weight

3  
Allen Telecom  
10 dBd / Vertical  
360 / ( 6 ) deg  
3" OD  
15 ft / 35 lbs.

dBd /  
/ ( ) deg  
ft / lbs.

dBd /  
/ ( ) deg  
ft / lbs.

3. Downtilt: Electr / Mech

0 / 0 deg

/ deg

/ deg

4. Other Antennas

2 GPS antennas by Motorola using 1/2" coaxial cable; mounted near equipment at  
1 BMR antenna by Motorola using 1/2" coaxial cable; mounted near equipment at b

## EQUIPMENT TYPE

Motorola GENS 4 RFDS System  
Andrew Concrete Shelter (16'x9')

## COVERAGE OBJECTIVE

Blue Grass Pkwy, Hwy 62, and Hwy 555.

## MORPHOLOGY

Rural: Forested

## RF COMMENTS

Search ring (Crown).

## AUTHORIZATION

RF Engr: Ahmadkhanlou, Frank

RF Mgr: Bui, Son

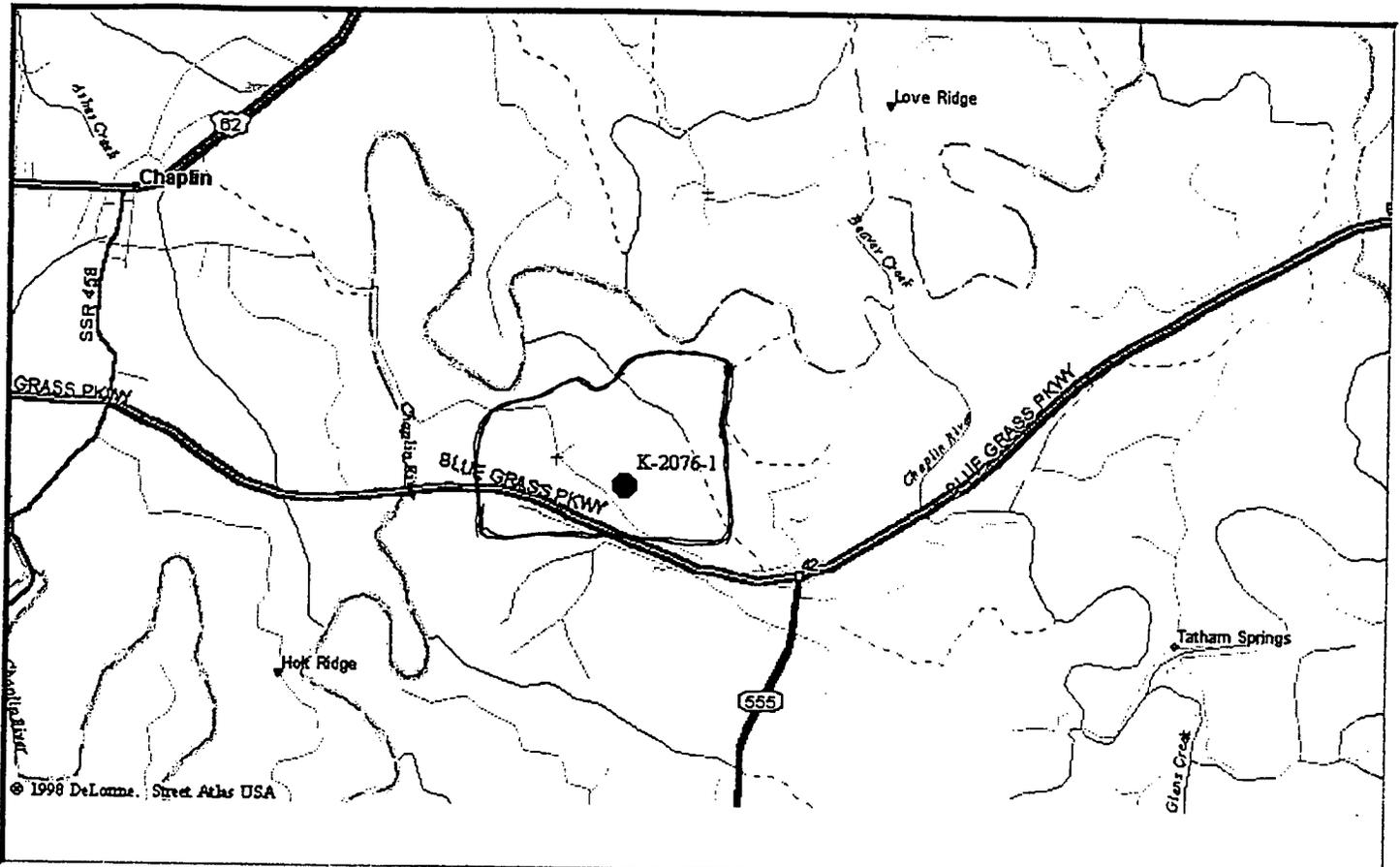


# Search Area Report for

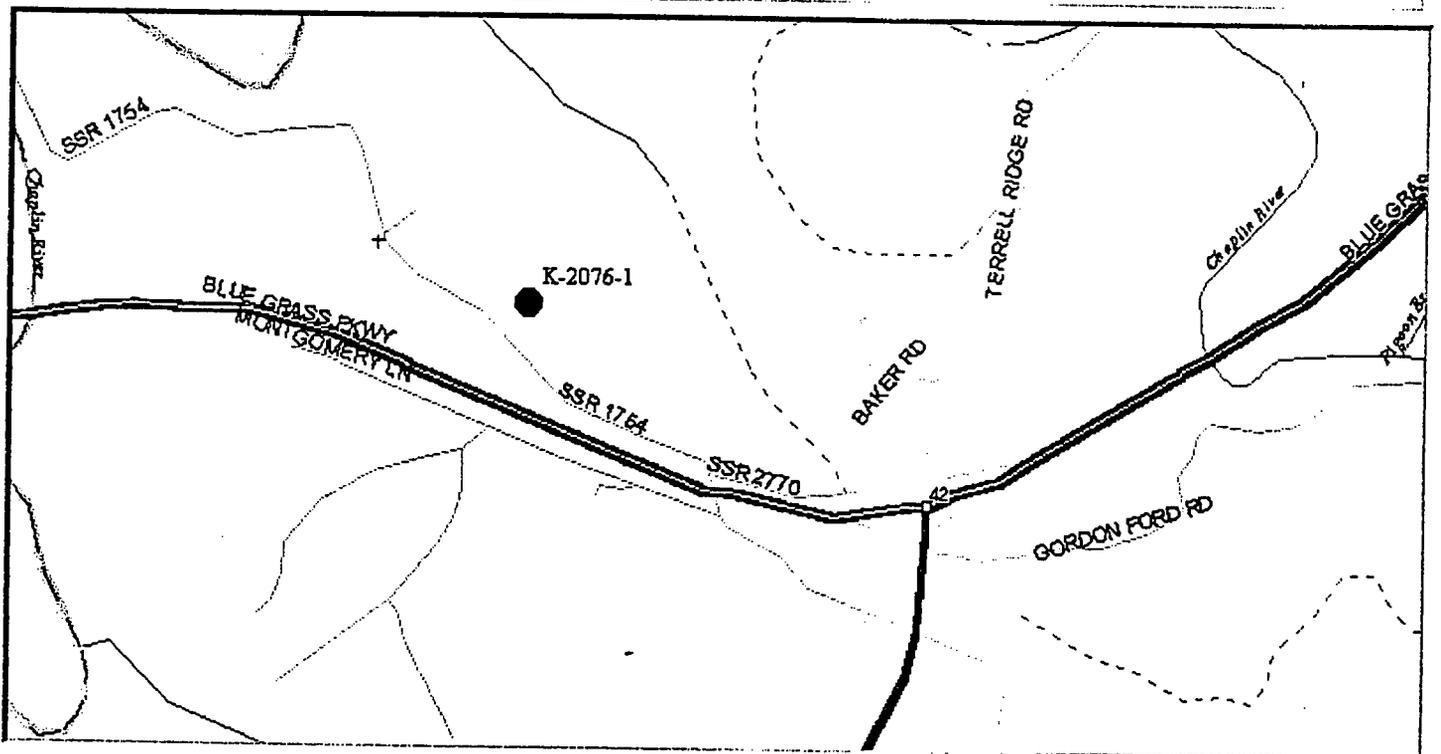
## KY-2076-1 New Cell 35

Revision #: 1  
 Issued On: 2/18/99

Phase #: 0	Region: 0 TBD	Service Area: 0 TBD
Dsgn #: 1	Launch Area: 0 TBD	Proj Office: TBD



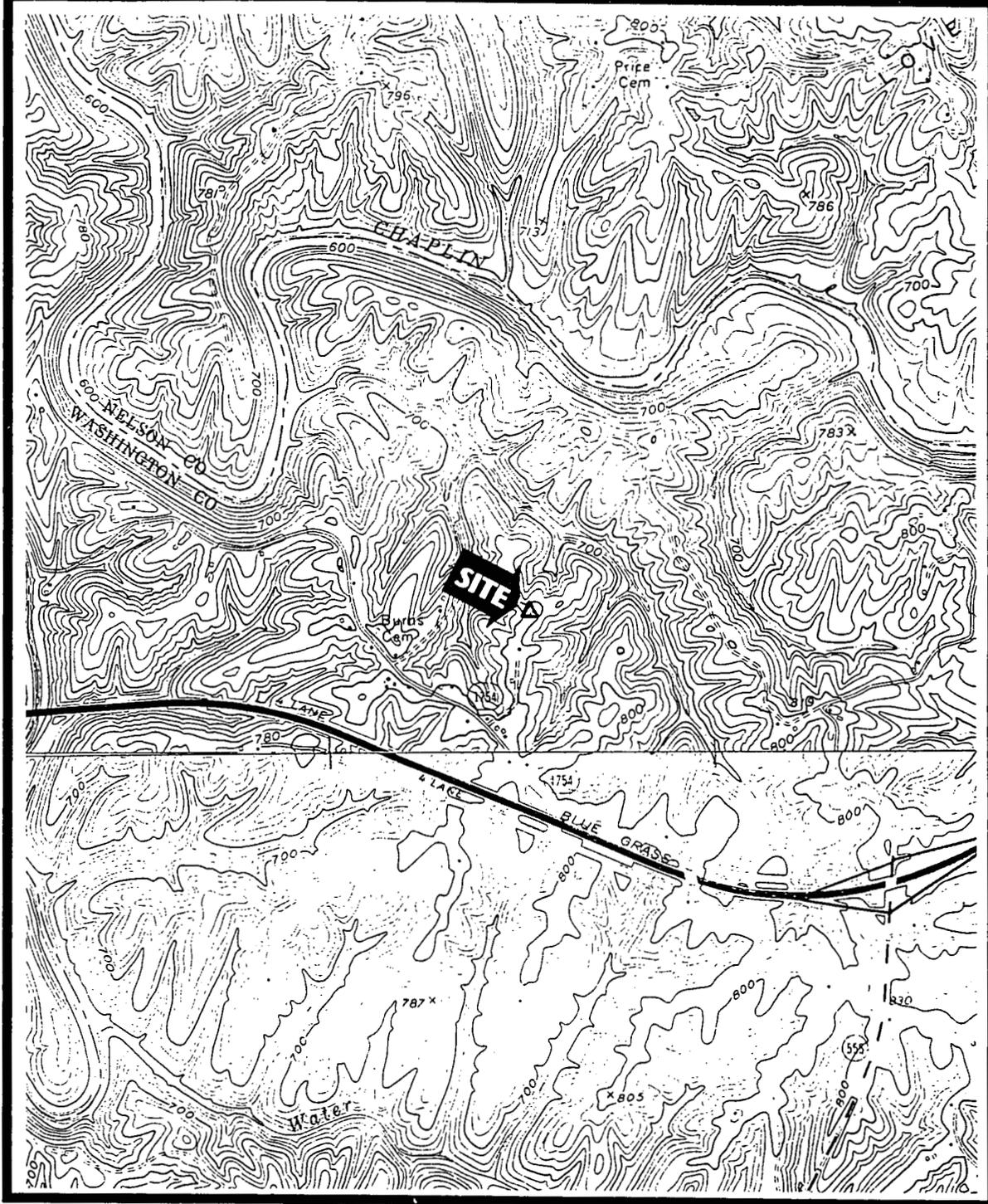
Map Descriptions:



Site Name: Chaplin

Site Number: KY041P

## SITE TOPOGRAPHY MAP ATTACHMENT



Scale: 1" = 2000'

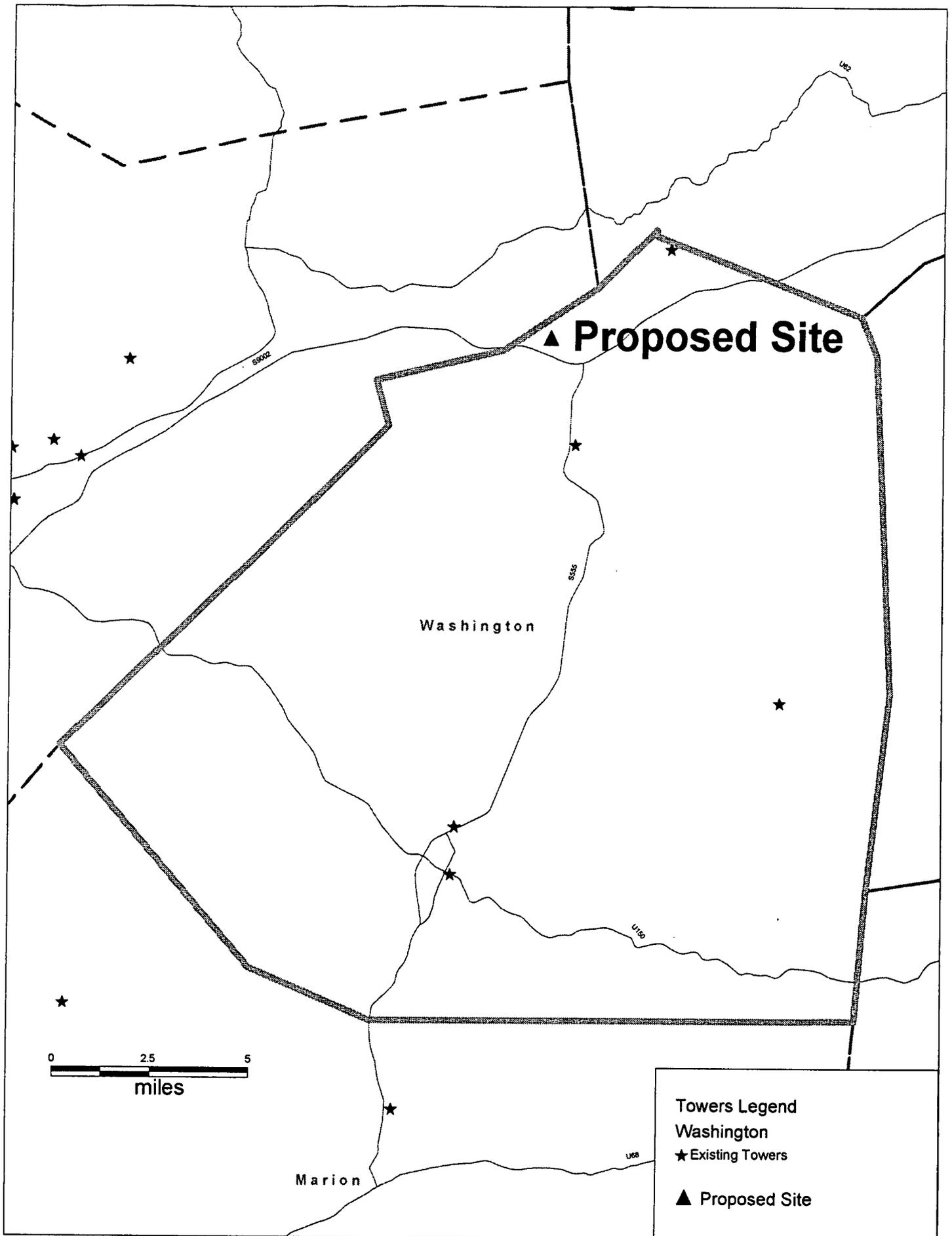
Longitude: 37 - 52 - 44

Latitude: 85 - 10 - 32

Elevation: 790' AMSL

USGS Topographic Map: Chaplin, KY

**EXHIBIT P**  
**TOWER MAP FOR SUBJECT COUNTY**



PRD-410  
4-83

CASE

NUMBER:

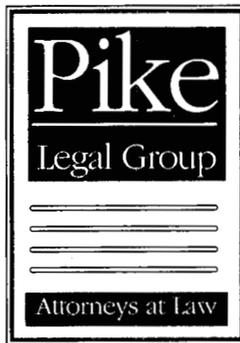
99-342

VII-J-237; Box 44

HISTORY INDEX FOR CASE: 1999-3  
NPCR, INC. DBA NEXTEL PARTNERS  
Construct  
CELL SITE - 5892 CHAPLIN ROAD - WILLISBURG

IN THE MATTER OF THE APPLICATION OF CROWN COMMUNICATION INC.  
AND NPCR, INC., D/B/A NEXTEL PARTNERS FOR ISSUANCE OF A  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT  
A WIRELESS COMMUNICATIONS FACILITY AT 5892 CHAPLIN ROAD,  
WILLISBURG, KY 40078  
IN THE WIRELESS COMMUNICATIONS LICENSE AREA  
IN THE COMMONWEALTH OF KENTUCKY  
IN THE COUNTY OF WASHINGTON  
SITE NAME: CHAPLIN

SEQ NBR	ENTRY DATE	REMARKS
0001	08/25/1999	Application.
M0001	08/25/1999	DAVID PIKE CROWN COMMUNICATIONS-APPLICATION
0002	09/01/1999	Acknowledgement letter.
0003	09/03/1999	No deficiencies letter
M0002	09/23/1999	CROWN COMMUNICATIONS DAVID PIKE-MOTION TO SUBMIT
0004	10/26/1999	Final Order granting a Certificate to construct a guyed antenna tower.
M0003	01/14/2000	DAVID PIKE CROWN COMMUNICATIONS-FEDERAL AVIATION & KY AIRPORT ZONING COMMISSION APPROVALS



RECEIVED

JAN 14 2000

PUBLIC SERVICE  
COMMISSION

January 13, 2000

Susan G. Hutcherson  
Filings Division Manager, Docket Branch  
Kentucky Public Service Commission  
730 Schenkel Lane  
P.O. Box 615  
Frankfort, KY 40602

Re: Applicant: Crown Communication, Inc.  
PSC Case No.: 99-342  
Crown Site No.: 407KY  
Crown Site Name: Chaplin  
Federal Aviation Administration Approval  
Kentucky Airport Zoning Commission Approval

Dear Susan:

Please accept this letter and the attached documents as an official filing in the above-referenced Public Service Commission action. The Certificate of Public Convenience and Necessity issued in this action called for the Applicant to file a copy of the Federal Aviation Administration and Kentucky Airport Zoning Commission approvals once they were obtained. Copies of this relevant documentation are attached to this letter for inclusion in the official case file.

If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Pike".

David A. Pike  
Regional Counsel, Crown Communication Inc.  
E-mail: pikelegal@aol.com

DAP/slb

Enclosures



Federal Aviation Administration  
Southern Region, ASO-520  
P.O. Box 20636  
Atlanta, GA 30320

AERONAUTICAL STUDY  
No: 99-ASO-4064-OE

8000 To Chaplin

ISSUED DATE: 08/27/99

SHAWN A. DUNLAP  
CROWN COMMUNICATION INC  
375 SOUTHPOINTE BLVD  
CANONSBURG, PA 15317

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Description: NEW ANTENNA TOWER  
SEE ATTACHED FREQUENCIES  
Location: WILLISBURG KY  
Latitude: 37-52-47.11 NAD 83  
Longitude: 085-10-28.04  
Heights: 375 feet above ground level (AGL)  
1181 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

-As a condition to this determination, the structure should be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1J, Obstruction Marking and Lighting, Chapters 4, 8(M-Dual), & 13.

-It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

U/A At least 10 days prior to start of construction  
(7460-2, Part I)

X Within 5 days after construction reaches its greatest height  
(7460-2, Part II)

-See attachment for additional condition(s) or information.

This determination expires on 02/27/01 unless:

- (a) extended, revised or terminated by the issuing office or
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case the determination expires on the date prescribed by the FCC for completion of construction or on the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

-As a result of this structure being critical to flight safety, it is

required that the FAA be kept apprised as to the status of this project. Failure to respond to periodic FAA inquiries could invalidate this determination.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, frequency(ies) or use of greater power will void this determination. Any future construction or alteration, including increase in heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at 404-305-5581. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 99-ASO-4064-OE.

*Wade Carpenter*

Wade Carpenter  
Specialist, Airspace Branch

(DNE)

7460-2 Attached  
Attachment

Chaplin

ATTACHMENT

AERONAUTICAL STUDY  
No. 99-ASO-4021-OE

Frequency Band	Effective Radiated Power
33-54 MHz	100 Watts
72-73 MHz	100 Watts
144-162 MHz	250 Watts
220-222 MHz	100 Watts
450-502 MHz	250 Watts
806-880 MHz	250 Watts
890-960 MHz	500 Watts
1,500 MHz	500 Watts
1,900-2,000 MHz	500 Watts
5,000-6,500 MHz	100 Watts
10,000-11,000 MHz	100 Watts
18,000 MHz	100 Watts
21,000 MHz	100 Watts
24,000 MHz	100 Watts
38,000 MHz	100 Watts



Kentucky Airport Zoning Commission  
125 Holmes Street  
Frankfort, KY 40622

Chaplin  
(502) 564-4480  
fax (502) 564-7933  
No.: AS-115-612-99-173

November 23, 1999

APPROVAL OF APPLICATION

APPLICANT:  
CROWN COMMUNICATION INC  
SHAWN DUNLAP, REGULATORY COORDINATOR  
375 SOUTH POINTE BOULEVARD  
Cannonsburg, PA 15317

SUBJECT: AS-115-612-99-173

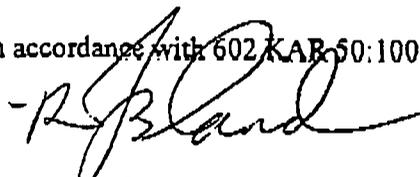
STRUCTURE: Antenna Tower  
LOCATION: Willisburg, KY  
COORDINATES: 37°52'47.11"N / 85°10'28.04"W  
HEIGHT: 375' AGL/1,181' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct (375' AGL/1,181' AMSL) Antenna Tower near Willisburg, KY 37°52'47"N, 85°10'28"W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Dual obstruction lighting is required in accordance with 602 KAR 50:100..

  
Ronald Bland, Administrator